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FILE NO. 041671 RESOLUTION NO. 1-05

[Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution appointing Supervisor Bevan Dufty, term ending January 31, 2005, to the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

RESOLVED, That pursuant to the provisions of the California Streets and Highways Code, Section 27124, the Board of Supervisors of the City and County of San Francisco appoints Supervisor Bevan Dufty as a member of the Board of Directors of the Golden Gate Bridge, Highway and Transportation District, succeeding Supervisor Michaela Alioto-Pier, resigned, seat 5, for the unexpired portion of a two-term ending January 31, 2005; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to transmit a certified copy hereof to the Secretary of State of the State of California, to the Executive Director of the Golden Gate Bridge Highway and Transportation District, and to the California Department of Transportation.

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Rules Committee

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041671 **Date Passed:**

Resolution appointing Supervisor Bevan Dufty, term ending January 31, 2005, to the Board of Directors, the Golden Gate Bridge, Highway and Transportation District.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 2 - Daly, Dufty

File No. 041671

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

January 8, 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 041529 RESOLUTION NO. 2-05

[Liquor License, 699 Third Street]

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 681 Third Street to 699 Third Street (District 6) to Joseph Kim for the Third & Townsend Corner Store will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

WHEREAS, Joseph Kim is seeking transfer of a Type 21 off-sale general alcoholic beverage control license for the Third & Townsend Corner Store, located at 699 Third Street; and,

WHEREAS, The City Planning Department has verified that the area is properly zoned; and,

WHEREAS, The Police Department recommends that the liquor license application be approved with conditions; now, therefore, be it

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 21 off-sale general alcoholic beverage control license from 681 Third Street to 699 Third Street (District 6) for Joseph Kim for the Third & Townsend Corner Store will serve the public convenience and necessity of the people of the City and County of San Francisco.

Conditions: (1) Sales and service of alcoholic beverages shall be permitted only between the hours of 7:00 a.m. and 6:30 p.m. each day of the week; (2) The petitioner

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shall be responsible for maintaining free of litter the area in front of and adjacent to the premises over which they have control; (3) No wine shall be sold with an alcoholic content greater than 15% by volume; (4) Wine shall not be sold in bottles or containers smaller than 750 ml. and wine coolers shall not be sold in units less than a four pack; (5) No person under the age of 21 shall sell or package alcoholic beverages.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041529 **Date Passed:**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 681 Third Street to 699 Third Street (District 6) to Joseph Kim for the Third & Townsend Corner Store will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041529

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

FILE NO. 040213

AS AMENDED IN COMMITTEE – 12/16/04
RESOLUTION NO. 3-05

[Resolution requesting that the Controller initiate a Community Audit for the Southeast neighborhoods in San Francisco.]

Resolution requesting the City Controller to initiate a Community Audit addressing needs in the Southeast sector, to consider, document and evaluate community needs as well as do an assessment of community benefit programs, capacity building, City services and City-funded programs.

WHEREAS, The Southeast sector of the City has specific needs to be addressed with consideration to the well-being and health of its residents; and

WHEREAS, The Southeast community's needs and services have not been assessed to determine whether City services and City-funded programs are adequately addressing these needs to ensure a quality of life for Southeast sector residents comparable to that of other neighborhoods throughout San Francisco; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby urges the City Controller to conduct a Community Audit to consider, document and evaluate Southeast sector community needs; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby urges the City Controller to conduct an assessment of community benefit programs, capacity building, City services and City-funded programs; and, be it

FURTHER RESOLVED, That such a Community Audit shall make recommendations where policies, funding and programs may be needed to allow a quality of life for Southeast residents commensurate to that of other neighborhoods in the City.

Supervisor Bevan Dufty
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 040213 **Date Passed:**

Resolution requesting the City Controller to initiate a Community Audit addressing needs in the Southeast sector, to consider, document and evaluate community needs as well as do an assessment of community benefit programs, capacity building, City services and City-funded programs.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 040213

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041160 RESOLUTION NO. 4-05

[Liquor License, 371-373 Broadway]

Resolution disapproving the request for the issuance of a Type 48 on-sale general public premises liquor license to David Seto for Seto Enterprises Inc. at 371-373 Broadway (District 3), and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

WHEREAS, David Seto is seeking the issuance of a Type 48 on-sale general public premises liquor license for Seto Enterprises Inc. at 371-373 Broadway; and,

WHEREAS, The Police Department reports Police objections; and,

WHEREAS, The Police Department recommends that the liquor license application be denied; now, therefore, be it

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines that the issuance of a Type 48 on-sale general public premises liquor license for Seto Enterprises Inc. at 371-373 Broadway (District 3), requested by David Seto, be denied; and, be it

FURTHER RESOLVED, That the Board of Supervisors respectfully requests that the Department of Alcoholic Beverage Control deny this application.

City Services Committee

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041160 **Date Passed:**

Resolution disapproving the request for the issuance of a Type 48 on-sale general public premises liquor license to David Seto for Seto Enterprises Inc., located at 371-373 Broadway (District 3), and determining that it will not serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041160

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041167 RESOLUTION NO. 5-05

[Appointment - Library Citizens Advisory Committee]

Resolution appointing Maryam Daryabegi-Farhang, term ending July 18, 2006, to the Library Citizens Advisory Committee.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Library Citizens Advisory Committee, pursuant to the provisions of Administrative Code Section 5.250, for the term specified:

Maryam Daryabegi-Farhang, new appointment, seat 14, must be a member from the community at large, representative of New Americans for whom English is a second language, for the unexpired portion of a two-year term ending July 18, 2006.

Rules Committee

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041167 **Date Passed:**

Resolution appointing Maryam Daryabegi-Farhang, term ending July 18, 2006, to the Library Citizens Advisory Committee.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041167

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

JAN 08 2005

Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

Amendment of the Whole
December 15, 2004

FILE NO. 041169 RESOLUTION NO. 6-05

[Municipal Railway Professional Services Contract CS-123, Amendment No. 7.]

Resolution authorizing the Director of Transportation to execute an amended version of Amendment No. 7 to San Francisco Municipal Railway Contract No. CS-123, Professional Design and Construction Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, for extra design work and additional construction support services, for an amount not to exceed $1,500,000, and a total contract amount not to exceed $11,481,206, and to extend the contract for one year.

WHEREAS, On September 7, 1999, the Public Transportation Commission (predecessor to the Municipal Transportation Agency) adopted Resolution No. 99-091, which authorized the General Manager of the Public Transportation Department to negotiate and execute Contract No. CS-123 with WPK Third Street Consultants to provide professional engineering services for the Third Street Light Rail Project ("Project"), in an amount not to exceed $6,170,722, and for a term not to exceed five years from notice to proceed ("NTP"); and,

WHEREAS, Resolution No. 99-091 also authorized the General Manager to negotiate a future task with WPK Third Street Consultants to provide technical construction support services for the Project at a cost not to exceed $1,203,464; and,

WHEREAS, NTP was issued on November 2, 1999; and,

WHEREAS, The Civil Service Commission by Log No. 4176-98/99 approved said professional services contract; and,

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WHEREAS, The General Manager authorized Contract Amendments No. 1 and 2, increasing the contract by a cumulative amount of $189,432 for a total contract amount not to exceed $6,360,154, with no extension of time; and,

WHEREAS, The Municipal Transportation Agency (MTA) Board authorized the Director of Transportation to execute Amendments Nos. 3, 4, 5 and 6, increasing the contract by a cumulative amount of $3,621,052, for a total contract amount not to exceed $9,981,026, with no extension of time; and,

WHEREAS, Amendment No. 7 to Contract No. CS-123 will settle Contract claims for extra design work submitted by the Consultant and provide funding for additional construction support services for the Project; and,

WHEREAS, Local, state and federal funds will be used for Amendment No. 7; and,

WHEREAS, Amendment No. 7 has been approved by the Civil Service Commission; and,

WHEREAS, the MTA Board of Directors recommended approval of Amendment No. 7 by resolution 04-063; now, therefore be it,

RESOLVED, That the Board of Supervisors authorizes the Director of Transportation to execute Amendment No. 7 to Contract CS-123, Professional Design and Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, to settle Contract claims for extra design work and provide for additional construction support services, in an amount not to exceed $1,500,000, and for a total contract amount not to exceed $11,481,206, and for a contract extension of one year.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041169 **Date Passed:**

Resolution authorizing the Director of Transportation to execute an amended version of Amendment No. 7 to San Francisco Municipal Railway Contract No. CS-123, Professional Design and Construction Support Services for Muni Metro Third Street Light Rail Project, with WPK Third Street Consultants, for additional construction support services, for an amount not to exceed $675,000, and a total contract amount not to exceed $10,806,206, and to extend the contract for one year.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041169

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041581 RESOLUTION NO. 7-05

[Accept – Expend State Grant]

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $38,014 from the State Board of Corrections (BOC), from funds made available under the Juvenile Justice and Delinquency Prevention Act of 1974 ("Federal Juvenile Justice Challenge Funds") for developing and adopting policies and programs to provide basic health, mental health, and appropriate education services, including special education, for youth in the juvenile justice system.

WHEREAS, MOCJ is the lead programmatic and fiscal agency of the county in administering Federal Juvenile Justice Challenge Funds, which have been provided by the State Board of Corrections for the purpose of augmenting the county's Comprehensive Multi-agency Juvenile Justice Plan (CMJJ Plan); and

WHEREAS, The BOC has determined that Federal Juvenile Justice Challenge Funds will be made available to counties pursuant to the provisions of the Juvenile Justice Crime Prevention Act (JJCPA), which requires that the county's local Juvenile Justice Coordinating Council, whose membership is described in Section 749.22 of the Welfare and Institutions Code, update its CMJJ Plan and develop an annual expenditure plan for these funds; and

WHEREAS, The City originally established the Juvenile Justice Coordinating Council through resolution 170-97; and

WHEREAS, On March 25, 2004 the Juvenile Justice Coordinating Council, chaired by the Chief Probation Officer, met and developed San Francisco's 2004-2005 CMJJ Plan and expenditure plan for the 2004 allocation of JJCPA and Federal Juvenile Justice Challenge funds; and

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WHEREAS, The Board of Supervisors approved San Francisco's 2004-2005 annual CMJJ Plan and expenditure plan for JJCPA funds through resolution 040482; now, therefore be it

RESOLVED, That the City and County of San Francisco hereby authorizes MOCJ to accept and expend $38,014 in Federal Juvenile Justice Challenge funds from the State Board of Corrections, for programs and approaches that have been demonstrated to be effective in reducing delinquency; and

BE IT FURTHER RESOLVED That the Director of the Mayor's Office of Criminal Justice is authorized to sign the City and County of San Francisco's Application for Approval for the County's CMJJ Plan and related contracts, amendments, or extensions with the State of California; and

BE IT FURTHER RESOLVED That the City and County of San Francisco assures that the Board of Supervisors and Juvenile Justice Coordinating Council have reviewed and approved the county's 2004-2005 CMJJ Plan; and

BE IT FURTHER RESOLVED That the City and County of San Francisco assures that its CMJJ Plan has been developed, reviewed and provided to the Board of Corrections in a format determined by the Board of Corrections; and

BE IT FURTHER RESOLVED That any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and

BE IT FURTHER RESOLVED That the City and County of San Francisco will adhere to the requirements of JJCPA and the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, regarding the submission of the Comprehensive Multi-agency Juvenile Justice Plan application or revision, investment of allocated monies, including any interest earnings, expenditure of said funds, and the submission of required reports to the Board of Corrections.

Supervisors Dufty, Maxwell

Recommended:

Department Head

Approved: _____
Mayor

Approved: _____
Controller

Supervisors Dufty, Maxwell

File No. 041581

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

JAN 18 2005

Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041581 **Date Passed:**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to accept and expend funds in the amount of $38,014 from the State Board of Corrections (BOC), from funds made available under the Juvenile Justice and Delinquency Prevention Act of 1974 ("Federal Juvenile Justice Challenge Funds") for developing and adopting policies and programs to provide basic health, mental health, and appropriate education services, including special education, for youth in the juvenile justice system.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

FILE NO. 041587 RESOLUTION NO. 8-05

[Contract funds for SFHIV Vaccine Clinical Trials Network, Year 2004 to 2005, and add 0.25 of a new position to the Year 5 budget.]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $481,758 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fifth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN) and to add 0.25 of a new position not included in the original agreement; for the period of June 1, 2004 to May 31, 2005.

WHEREAS, PHFE has received fifth year funding from the National Institutes of Health to continue participation by the SFDPH in the San Francisco HIV Vaccine Clinical Trials project; and,

WHEREAS, PHFE has requested that the SFDPH participate in this project by continuing to provide scientific expertise and leadership; assist other sites in development of community outreach; conduct Phases I, II, IIB, and III HIV vaccine trials in San Francisco; and maximize capacity to enroll high-risk participants in Northern California efficacy trials; and,

WHEREAS, PHFE has agreed to reimburse the SFDPH in the amount of $481,758 under the terms of this agreement; and,

WHEREAS, As a condition of receiving the funds PHFE requires the SFDPH to enter into an agreement (The "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 041587, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The addition of 0.25 of a new position to the fifth year of the agreement has been approved by PHFE; and,

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WHEREAS, The budget for the agreement includes provision for indirect costs of $80,861; and,

WHEREAS, This Resolution requires expedited review by the Board of Supervisors because we did not receive the subcontract from PHFE until September 16, 2004; and,

WHEREAS, Resolutions authorizing the acceptance and expenditure of grant funds may be placed automatically on consent agendas in committee, as they are usually considered to be routine items, and the resolution authorizes the acceptance and expenditure of grant funding; now, therefore, be it

RESOLVED, That the SFDPH is hereby authorized to enter retroactively into a subcontract agreement in the amount of $481,758 with PHFE, the primary contractor; and, be it

FURTHER RESOLVED, That SFDPH is hereby authorized to add 0.25 of a new position in this, the fifth year of the agreement; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the Agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Controller is directed to designate all positions funded under this agreement as "G" or grant-funded positions, which would terminate when the agreement expires.

Recommended:

Mitchell Katz, M.D.
Director of Health

Approved:

Health Commission

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041587 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $481,758 with Public Health Foundation Enterprises Inc. (PHFE), the primary contractor, to fund the fifth year of the SFDPH portion for "San Francisco HIV Vaccine Clinical Trials", a unit of the HIV Vaccine Trials Network (HVTN) and to add 0.25 of a new position not included in the original agreement; for the period of June 1, 2004 to May 31, 2005.

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041587

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041608 RESOLUTION NO. 9-05

[Liquor License, Ferry Building Marketplace, Unit 33, The Embarcadero]

Resolution determining that the transfer of a Type 21 off-sale beer and wine alcoholic beverage control license from 355 Bayshore Boulevard to Ferry Building Marketplace, Unit 33, The Embarcadero (District 3), and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Boriana Stoilova for I Preferiti Di Boriana Montepulciano LLC will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

WHEREAS, Boriana Stoilova is seeking transfer of a Type 20 off-sale beer and wine alcoholic beverage control license, and the issuance of a Type 42 on-sale beer and wine public premises license, for I Preferiti Di Boriana Montepulciano LLC, located at Ferry Building Marketplace, Unit 33, The Embarcadero; and,

WHEREAS, The City Planning Department has verified that the area is properly zoned; and,

WHEREAS, The Police Department recommends that the liquor license application be approved; now, therefore, be it

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 355 Bayshore Boulevard to Ferry Building Marketplace, Unit 33, The Embarcadero (District 3), and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, for

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Boriana Stoilova for I Preferiti Di Boriana Montepulciano LLC, will serve the public convenience and necessity of the people of the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041608 **Date Passed:**

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 355 Bayshore Boulevard to Ferry Building Marketplace, Unit 33, The Embarcadero (District 3), and the issuance of a Type 42 on-sale beer and wine public premises license at the same location, to Boriana Stoilova for I Preferiti Di Boriana Montepulciano LLC will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code.

—

January 4, 2005 Board of Supervisors — ADOPTED
Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041608

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

JAN 13 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041634 RESOLUTION NO. 10-05

[Settlement of Claim]

Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for $61,192.99.

WHEREAS, National Mutual Insurance Company as subrogee for the Chinese American War Veterans filed a claim against the City and County of San Francisco for property damage; and

WHEREAS, the Public Utilities Commission of the City and County of San Francisco has recommended settlement of said claim by payment of $61,192.99; now, therefore, be it

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $61,192.99 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA
City Attorney

JOANNE HOEPER
Chief Trial Deputy

EDWARD HARRINGTON
Controller

I/C 471303
SubObject 05311

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

SUSAN LEAL
General Manager

Secretary

Rules Committee
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041634 **Date Passed:**

Resolution approving the settlement of the unlitigated Claim No. 04-03446 filed by National Mutual Insurance Company as subrogee for the Chinese American War Veterans on May 10, 2004 against the City and County of San Francisco for $61,192.99.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041634

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041651 RESOLUTION NO. 11-05

[Expand treatment capacity for methamphetamine abuse in San Francisco.]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend grant funds in the amount of $497,910 from the Center for Substance Abuse Treatment/Substance Abuse and Mental Health Services (CSAT/SAMHSA) to expand treatment capacity for methamphetamine abuse in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2004, to September 29, 2005.

WHEREAS, SFDPH has applied for and been awarded a grant from CSAT/SAMHSA in the amount of $497,910 to expand treatment capacity for methamphetamine abuse in San Francisco; and,

WHEREAS, As a condition of receiving the grant funds, CSAT/SAMHSA requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 041651, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, This Resolution requires expedited review by the Board of Supervisors because the award was not issued until September 13, 2004; and,

WHEREAS, Resolutions authorizing the acceptance and expenditure of grant funds may be placed automatically on the consent agendas in committee, as they are usually considered to be routine items, and this resolution authorizes the acceptance and expenditure of grant funding; and,

WHEREAS, The grant budget includes provision for indirect costs of $5,169; now, therefore, be it

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File No. 041651

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041658 RESOLUTION NO. 12-05

[Contract funds to support sustainable school-based health care.]

Resolution authorizing the San Francisco Department of Public Health, Balboa Teen Health Center, Community Health Programs for Youth (SFDPH), to enter retroactively into an agreement with Public Health Institute, California School Health Centers Association (PHI/CSHC) the primary contractor, and expend funds in the amount of $18,820 to support advocacy at the local, state, and national levels for sustainable school-based health care; for the period of August 1, 2004 to July 31, 2005.

WHEREAS, the PHI/CSHC is the recipient of a grant award from the Kellogg Foundation to support school-based health care; and,

WHEREAS, PHI/CSHC, and SFDPH have agreed to enter into a subcontract agreement to participate in this project; and,

WHEREAS, PHI/CSHC has agreed to reimburse SFDPH in the amount of $18,820 from this award under the terms of this subcontract agreement; and,

WHEREAS, As a condition of receiving the funds, PHI/CSHC requires SFDPH to enter into an agreement (The "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 041658, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The terms of the subcontract prohibit including indirect costs in the grant budget; and,

WHEREAS, This Resolution requires expedited review by the Board of Supervisors because we did not receive the subcontract until October, 2004; and,

WHEREAS, Resolutions authorizing the acceptance and expenditure of grant funds may be placed automatically on the consent agendas in committee, as they are usually

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considered to be routine items, and this resolution authorizes the acceptance and expenditure of grant funding; now, therefore, be it

RESOLVED, That SFDPH is hereby authorized to enter retroactively into a subcontract agreement in the amount of $18,820 with PHI/CSHC, the primary contractor; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the Agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Controller is directed to designate the positions funded under this agreement as "G" or grant-funded positions which would terminate when the agreement expires.

Recommended:

Mitchell Katz, M.D.
Director of Health

Approved:

Health Commission

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041658 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health, Balboa Teen Health Center, Community Health Programs for Youth (SFDPH), to enter retroactively into an agreement with Public Health Institute, California School Health Centers Association (PHI/CSHC) the primary contractor, and expend funds in the amount of $18,820 to support advocacy at the local, state, and national levels for sustainable school-based health care; for the period of August 1, 2004 to July 31, 2005.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041658

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 0 8 2005

Date Approved

Mayor Gavin Newsom

[Appointment - Citizens' General Obligation Bond Oversight Committee]

Resolution appointing William Wong and John Hentz, terms ending November 21, 2006, to the Citizens' General Obligation Bond Oversight Committee; residency requirement waived.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Citizens' General Obligation Bond Oversight Committee, pursuant to the provisions of the San Francisco Administrative Code, Article V, for the term specified:

William Wong (residency requirement waived), succeeding himself, term expired November 21, 2004, seat 2, must be active in labor organizations, for the unexpired portion of a two-year term ending November 21, 2006.

John Hentz, succeeding himself, term expired November 21, 2004, seat 3, must be active in a community organization, for the unexpired portion two-year term ending November 21, 2006; and, be it

FURTHER RESOLVED, That the Board of Supervisors makes the following findings:

1. The membership of the Citizens' General Obligation Bond Oversight Committee has a goal to be representative of the diversity of the City and County of San Francisco.
2. Applicant William Wong, who is not a resident of San Francisco, is a person with experience that uniquely qualifies him to serve on the Citizens' General Obligation Bond Oversight Committee.
3. The Citizens' General Obligation Bond Oversight Committee has attempted to fill the position, for which William Wong was nominated, with an individual who is a City resident and who has the specific experience, skills, and qualifications, but has

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been unable to do so at this time. The Rules Committee has certified that William Wong is qualified to serve on the Citizens' General Obligation Bond Oversight Committee.

4. After exercising due diligence, the Board of Supervisors concludes that there is no other possible representative, who is a resident of San Francisco and who has the specific experience, skills, or qualifications possessed by this applicant, and who is willing to serve on the Citizens' General Obligation Bond Oversight Committee at this time; and, be it

FURTHER RESOLVED, That the Board of Supervisors waives the residency requirement for William Wong, as allowed in cases where no qualified City resident, willing to serve, can be found, pursuant to Section 4.101 of the City Charter that requires person(s) appointed to boards, commissions, and advisory bodies established by legislative act of the Board of Supervisors to be resident(s) of the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041667 **Date Passed:**

Resolution appointing William Wong and John Hentz, terms ending November 21, 2006, to the Citizens' General Obligation Bond Oversight Committee; residency requirement waived.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041667

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

JAN 13 2005

Date Approved

Gloria L. Young
Clerk of the Board

Mayor Gavin Newsom

FILE NO. 041670 RESOLUTION NO. 14-05

[Appointment - Ballot Simplification Committee]

Resolution appointing Alma Carroll, Betty Packard and Suzanne Strassevitch, terms ending November 30, 2006, to the Ballot Simplification Committee.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Ballot Simplification Committee, pursuant to the provisions of the San Francisco Election Code, Section 600, for the term specified:

Alma Carroll, succeeding herself, term expired, seat 1, must represent the National Academy of Television Arts and Sciences, Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Betty Packard, succeeding herslf, term expired, seat 2, must represent the National Academy of Television Arts and Sciences. Northern California Chapter or the Northern California Broadcasters Association, for the unexpired portion of a two-year term ending November 30, 2006.

Suzanne Strassevitch, succeeding herself, term expired, seat 3, must represent the League of Women Voters of San Francisco, for the unexpired portion of a two-year term ending November 30, 2006.

Rules Committee

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041670 **Date Passed:**

Resolution appointing Alma Carroll, Betty Packard and Suzanne Strassevitch, terms ending November 30, 2006, to the Ballot Simplification Committee.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041670

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041672 RESOLUTION NO. 15-05

[Appointment - Developmental Disabilities Area Board V]

Resolution appointing Jennifer Walsh, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Developmental Disabilities Area Board V, pursuant to the provisions of the California Welfare and Institutions Code, Section 4575, for the term specified:

Jennifer Walsh, succeeding Sara Desumala, term expiring December 31, 2004, seat 2, must have a demonstrated interest and leadership in human services, for a new three-year term ending December 31, 2007.

Rules Committee

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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041672 **Date Passed:**

Resolution appointing Jennifer Walsh, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041672

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 07 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041674 RESOLUTION NO. 16-05

[Appointment - Bay Area Air Quality Management District]

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated Supervisor to the Bay Area Air Quality Management District, pursuant to the provisions of the California Health and Safety Code, Section 40221 and 40221.5, for the term specified.

Supervisor Jake McGoldrick, succeeding himself, term expiring February 1, 2005, seat 1, must be a member of the Board of Supervisors, for a new four-year term ending February 1, 2009.

Rules Committee

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041674 **Date Passed:**

Resolution appointing Supervisor Jake McGoldrick, term ending February 1, 2009, to the Bay Area Air Quality Management District Board of Directors.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, Peskin, Sandoval
Excused: 2 - Daly, McGoldrick

File No. 041674

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Ray Hulbengoy
for Gloria L. Young
Clerk of the Board

JAN 08 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 041696 RESOLUTION NO. 17-05

[Accept-Expend Federal Grant]

Resolution Authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice – Office of Community Oriented Policing for a project entitled "U.S. Department of Justice – Universal Hiring Program."

WHEREAS, The Chief of Police of the City and County of San Francisco desires to undertake a certain project designated "U.S. Department of Justice – Universal Hiring Program", to be funded in part from funds made available through the U.S. Department of Justice – Office of Community Oriented Policing (hereinafter referred to as DOJ/COPS); and,

WHEREAS, this grant will provide partial funding for the hiring of much needed additional sworn officers; and,

WHEREAS, the grant terms prohibit inclusion of indirect costs in the grant budget, and require the city to assume any liability arising out of the performance of this grant agreement; now, therefore, be it

RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized on behalf of the City and County of San Francisco to retroactively accept and expend continued funding for this project from DOJ/COPS; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the Chief of Police of the City and County of San Francisco is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Agreement for this project including any extensions, funding augmentations from DOJ/COPS, or amendments thereof; and be it

Supervisors Elsbernd, Dufty
BOARD OF SUPERVISORS

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FURTHER RESOLVED, That it is agreed that any liability arising out of the performance of this Grant Agreement, including civil court actions for damages, shall be the responsibility of the grantee and the authorizing agency; and be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by the Board of Supervisors.

Recommended:

Heather J. Fong

Chief of Police

Approved: _____

Mayor

Approved: _____

Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041696 **Date Passed:**

Resolution Authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the U.S. Department of Justice – Office of Community Oriented Policing for a project entitled "U.S. Department of Justice – Universal Hiring Program."

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041696

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 041697 RESOLUTION NO. 18-05

[Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program: Elder Abuse]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse."

WHEREAS, The City and County of San Francisco desires to continue a certain project designated the San Francisco Special Emphasis Victim Assistance Program : Elder Abuse, to be funded in part from funds made available through the Governor's Office of Emergency Services, Criminal Justice Programs Division (CJPD); and,

WHEREAS, CJPD requires that the City and County of San Francisco, through the Office of the District Attorney, provide no less than a twenty percent in-kind match for the grant; and

WHEREAS, All positions supported by these funds shall be coded "G" in the District Attorney's budget; and,

WHEREAS, The terms of the grant prohibit inclusion of indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of the City and County of San Francisco to retroactively accept and expend funds from CJPD for the purposes of special emphasis victim assistance program: elder abuse; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

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FURTHER RESOLVED, That the District Attorney is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Award Agreements for purposes of special emphasis victim assistance program: elder abuse purposes, including any extensions, augmentations or amendments thereof; and be it

FURTHER RESOLVED, That the District Attorney is authorized and empowered to execute, deliver and perform, in the name of the City and County of San Francisco, all applications, contracts, agreements, amendments and payment requests necessary for the purpose of securing Special Emphasis Victim Assistance Program: Elder Abuse grant funds and to implement and carry out the purposes specified in the applicable grant application; and be it

FURTHER RESOLVED, That any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

APPROVED:
Office of the District Attorney

Kamala D. Harris

APPROVED:
Office of the Controller

By: Edward Harrington

APPROVED:
Office of the Mayor

By: Gavin Newsom

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041697 **Date Passed:**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Special Emphasis Victim Assistance Program: Elder Abuse."

—

January 4, 2005 Board of Supervisors — ADOPTED
Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041697

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 13 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041698 RESOLUTION NO. 19-05

[Accept-Expend Federal Grant – Special Emphasis Victim Assistance Program - Homicide]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Special Emphasis Victim Assistance Program—Homicide."

WHEREAS, The City and County of San Francisco desires to continue a certain project designated the San Francisco Special Emphasis Victim Assistance Program : Homicide, to be funded in part from funds made available through the Governor's Office of Emergency Services, Criminal Justice Programs Division (CJPD); and,

WHEREAS, CJPD requires that the City and County of San Francisco, through the Office of the District Attorney, provide no less than a twenty percent in-kind match for the grant; and

WHEREAS, All positions supported by these funds shall be coded "G" in the District Attorney's budget; and,

WHEREAS, The terms of the grant prohibit inclusion of indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of the City and County of San Francisco to retroactively accept and expend funds from CJPD for the purposes of special emphasis victim assistance program: homicide; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

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FURTHER RESOLVED, That the District Attorney is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Award Agreements for purposes of special emphasis victim assistance program: homicide purposes, including any extensions, augmentations or amendments thereof; and be it

FURTHER RESOLVED, That the District Attorney is authorized and empowered to execute, deliver and perform, in the name of the City and County of San Francisco, all applications, contracts, agreements, amendments and payment requests necessary for the purpose of securing Special Emphasis Victim Assistance Program: Homicide grant funds and to implement and carry out the purposes specified in the applicable grant application; and be it

FURTHER RESOLVED, That any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

APPROVED:
Office of the District Attorney

Kamala D. Harris

APPROVED:
Office of the Controller

By: _____
Edward Harrington

APPROVED:
Office of the Mayor

By: _____
Gavin Newsom

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Resolution

File Number: 041698 **Date Passed:**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $110,000 through the California Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Special Emphasis Victim Assistance Program—Homicide."

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041698

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041715 RESOLUTION NO. 20-05

[Appointment – Bicycle Advisory Committee]

Resolution appointing Elbert Hill, term ending November 19, 2006 to the Bicycle Advisory Committee.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Bicycle Advisory Committee, pursuant to the provisions of Administrative Code Section 5.130 et seq.; and amended by Ordinance No. 179-02, for the term specified:

Elbert Hill, succeeding William Henning, term expired, seat 7, must be a nominee of District 7 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041715 **Date Passed:**

Resolution appointing Elbert Hill, term ending November 19, 2006, to the Bicycle Advisory Committee.

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 9 - Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Alioto-Pier
Excused: 1 - Daly

File No. 041715

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041746 RESOLUTION NO. 21-05

[Accept-Expend Federal Grant]

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $989,477 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of integrating the case management system for the JUSTIS Project. The new system will integrate the case management systems serving the Police, Sheriff, District Attorney, Public Defender, Adult Probation and the Superior Court. It will make the sharing of information within the criminal justice community easier, more efficient and accurate.

WHEREAS, MOCJ is the lead programmatic and fiscal agency in administering the 2004 Technology Grant Initiative: San Francisco Police Department RMS Deployment & JUSTIS Integration Project; and

WHEREAS, San Francisco applied and was awarded on November 8, 2004, nine hundred eighty-nine thousand and four hundred seventy-seven dollars ($989,477); and

WHEREAS, The Mayor's Office of Criminal Justice and the San Francisco Department of Public Health in partnership with the San Francisco Police Department, District Attorney's Office will be responsible for coordination and day-to-day operations of the planning and implementation phases of this grant; and

WHEREAS, MOCJ will be responsible for the fiscal, programmatic and administrative reporting to the COPS Office; and now therefore, be it

RESOLVED, That the City and County of San Francisco hereby authorizes MOCJ to retroactively accept and expend $989,477 from the DOJ, COPS Office to administer the 2004 Technology Grant Initiative: San Francisco Police Department RMS Deployment & JUSTIS Integration Project.

Mayor Gavin Newsom, Supervisor Daly
BOARD OF SUPERVISORS

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RESOLUTION NO._____

Recommended:

Approved: _____
Mayor

_____
Department Head

Approved: _____
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041746 **Date Passed:**

Resolution authorizing the Mayor's Office of Criminal Justice (MOCJ) to retroactively accept and expend a grant in the amount of $989,477 from the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office) for the purpose of integrating the case management system for the JUSTIS Project. The new system will integrate the case management systems serving the Police, Sheriff, District Attorney, Public Defender, Adult Probation and the Superior Court. It will make the sharing of information within the criminal justice community easier, more efficient and accurate.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041746

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 03 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041760 RESOLUTION NO. 22-05

[Commending Health District Environmental Health Inspectors]

Resolution commending Health District Four Health Inspectors for their dedication and commitment to ensuring safe and healthy living and working environments for San Franciscans living in Chinatown, Fisherman's Wharf, North Beach and the Financial District.

WHEREAS, Principal Health Inspector, Lisa O'Malley, the Health Inspectors of Health District Four – Mary Freschet, Dawit Furgassa, Jackie Greenwood, Uzziel Prado, Mel Seid, Calvin Tom and Melinda Tyler – and Sr. Clerk Nancy Yee are dedicated to upholding California State and local food safety ordinance, sanitation codes and regulations for the neighborhoods of Chinatown, Fisherman's Wharf, North Beach and the Financial District; and,

WHEREAS, their visionary environmental health approach in developing, conducting, managing and attending to environmental health compliance, training and education needs of Chinatown, Fisherman's Wharf, North Beach and the Financial District's businesses and residents has been exemplary through on-site training, presentations and inspections; and,

WHEREAS, their work in dealing with the business community has led to positive successes in food safety and sanitation of food facilities throughout this district facilitating cooperation, community capacity building and healthy environments; and,

WHEREAS, these inspectors competently and successfully participated in the pilot Rodent Abatement Program in Chinatown by collaborating with the Department of Building Inspection to design, implement and evaluate rodent infestations in Chinatown; and,

WHEREAS, these inspectors have motivated and trained other health inspectors at the Occupational and Environmental Health Section of the San Francisco Department of

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Public Health; and,

WHEREAS, Principal Inspector Lisa O'Malley has been a model manager and inspirational team leader in implementing innovative environmental health approaches and sustaining professionalism among Health District Four Inspectors, ensuring the highest equality and standards in food safety, sanitation and consumer protection toward the health and well being of residents; and,

WHEREAS, Health District Four Inspectors have professionally, skillfully and proficiently conducted inspections and investigations to enforce applicable state health and safety codes, regulations and local ordinances; now, therefore be it

RESOLVED, That the San Francisco Board of Supervisors, extends its highest commendation and appreciation to the Environmental Health Inspectors of Health District Four for their exemplary leadership and public service.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041760 **Date Passed:**

Resolution commending Health District Four Health Inspectors for their dedication and commitment to ensuring safe and healthy living and working environments for San Franciscans living in Chinatown, Fisherman's Wharf, North Beach and the Financial District.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041760

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

JAN 13 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041762 RESOLUTION NO. 23-05

[Accept-Expend Federal/State Grant – Victim/ Witness Assistance Program]

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $90,654 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Violence Against Women Vertical Prosecution Program."

WHEREAS, The City and County of San Francisco desires to continue a certain project designated the Violence Against Women Vertical Prosecution Program to be funded in part from funds made available through the Governor's Office of Emergency Services, Criminal Justice Programs Division (hereafter "CJP"; and,

WHEREAS, CJP requires that the City and County of San Francisco, through the Office of the District Attorney, provide no less than a twenty percent-in-kind match for the grant; and

WHEREAS, All positions supported by these funds shall be coded "G" in the District Attorney's budget; and,

WHEREAS, The terms of the grant prohibit inclusion of indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the District Attorney of the City and County of San Francisco to retroactively accept and expend funds from CJP for the purposes of the Violence Against Women Vertical Prosecution Program; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the District Attorney is authorized to execute on behalf of the City and County of San Francisco the necessary Grant Award Agreements for purposes of

Supervisors Alioto-Pier – Dealey

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the Violence Against Women Vertical Prosecution Program, including any extensions, augmentations or amendments thereof; and be it

FURTHER RESOLVED, That the District Attorney is authorized and empowered to execute, deliver and perform, in the name of the City and County of San Francisco, all applications, contracts, agreements, amendments and payment requests necessary for the purpose of securing Violence Against Women Vertical Prosecution Program grant funds and to implement and carry out the purposes specified in the applicable grant application; and be it

FURTHER RESOLVED, That any liability arising out of the performance of the Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency; and be it

FURTHER RESOLVED, That grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

APPROVED:
Office of the District Attorney

Kamala D. Harris

APPROVED:
Office of the Controller

By: _____
Edward Harrington

APPROVED:
Office of the Mayor

By: _____
Gavin Newsom

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041762 **Date Passed:**

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $90,654 through the Governor's Office of Emergency Services, Criminal Justice Programs Division, for the operation of a program entitled "Violence Against Women Vertical Prosecution Program."

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041762

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

FILE NO. 041736 RESOLUTION NO. 24-05

[Amending Declaration of November 2, 2004 Election Results.]

Resolution amending Resolution No, 735-04, which declared the results of the November 2, 2004 Consolidated General Election, to include results of uncontested races.

WHEREAS, On December 7, 2004, the Board of Supervisors adopted Resolution No. 735-04, which declared the results of the Consolidated General Election conducted in the City and County of San Francisco on Tuesday, November 2, 2004; and

WHEREAS, Resolution no. 735-04 included results of election contests for the San Francisco Board of Supervisors, the Governing Board of the Community College District, the Governing Board of the San Francisco Unified School District, and fifteen City and County ballot measures, but did not include the results of uncontested judicial races and an uncontested race for Bay Area Rapid Transit (BART) District Board of Directors; and

WHEREAS, Under California Elections Code Section 8203, when the only candidate to file nomination papers for the office of superior court judge is the incumbent, and there is no qualified write-in candidate seeking election to that office, the office does not appear on the ballot; and

WHEREAS, Under California Elections Code Section 10515, when only one candidate files nomination papers for election to a seat on the BART District Board of Directors, and there is no qualified write-in candidate seeking election to that seat, the office does not appear on the ballot; now, therefore, be it

RESOLVED, That this Board of Supervisors amends Resolution No. 735-04, and declares, under Sections 8203, 9269 and 15400 of the California Elections Code, the results of the uncontested races in the Consolidated General Election conducted in the City and County of San Francisco on Tuesday, November 2, 2004, as previously certified by the

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Director of Elections, as follows:

SECTION 1. JUDICIAL OFFICES.

Pursuant to section 8203 of the California Elections Code, the persons listed below are declared elected to the judicial office indicated:

Superior Court Judge, Office No. 1

David Ballati

Superior Court Judge, Office No. 2

Suzanne Ramos Bolanos

Superior Court Judge, Office No. 3

Anne Bouliane

Superior Court Judge, Office No. 4

Susan Breall

Superior Court Judge, Office No. 5

Ellen Chaitin

Superior Court Judge, Office No. 6

John E. Dearman

Superior Court Judge, Office No. 7

Wallace P. Douglass

Superior Court Judge, Office No. 8

Ernest Goldsmith

Superior Court Judge, Office No. 9

Teri Leatrice Jackson

Superior Court Judge, Office No. 10

Richard Kramer

Superior Court Judge, Office No. 11

Newton J. Lam

Superior Court Judge, Office No. 12

Donna Alyson Little

Superior Court Judge, Office No. 13

Donald Mitchell

Superior Court Judge, Office No. 14

Mary Morgan

Superior Court Judge, Office No. 15

Ronald Quidachay

Superior Court Judge, Office No. 16

Carol Yaggy

SECTION 2.

Pursuant to section 10515(c) of the California Elections Code, the person listed below is declared appointed to the office indicated:

Member, BART District Board of Directors, District 9

Tom Radulovich

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041736 **Date Passed:**

Resolution amending Resolution No, 735-04, which declared the results of the November 2, 2004 Consolidated General Election, to include results of uncontested races.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041736

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

FILE NO. 050008 RESOLUTION NO. 25-05

[Honoring Matt Gonzalez]

Resolution honoring Matt Gonzalez.

WHEREAS, Matt Gonzalez was elected to the Board of Supervisors in December of 2000, winning 65% of the vote in a December runoff becoming the first Green Party member elected to public office in San Francisco representing District 5 which includes the Western Addition, the Haight/Ashbury, Inner Sunset, Hayes Valley, Cole Valley, and Japantown neighborhoods; and

WHEREAS, Matt Gonzalez worked on many issues during his tenure including: leading the effort to raise the minimum wage in San Francisco to the highest in the United States; as the chief sponsor to implement instant runoff voting (IRV), passing the strictest controls on chain stores of any major American city and prohibiting the selling of naming rights to Candlestick Park; and on the unsuccessful efforts to give immigrants the right to vote in School Board Elections, and to create a municipal utility district/public power authority in San Francisco; and

WHEREAS, Matt Gonzalez also was the chief sponsor of many ordinances and resolutions including: creating a homeless shelter monitoring committee, prohibiting elephants from being kept at the SF Zoo, authorizing domestic partners/family members as additional occupants, reconstitution of the Bicycle Advisory Committee based on district representation, 50 caliber firearms ban, requesting the Controller's Fire Department audit, conditional use ordinance for the Haight neighborhood/commercial district, formula retail ordinance in Hayes/Gough and Cole Valley neighborhood/commercial districts, resolution authorizing SB 307 monies in Japantown, supplemental appropriations for the Homeless Prenatal Program, protocols for the Office of Citizen Complaints and Police Department, whistleblower

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protections for city employees, municipal bank analysis, resolution urging Bechtel Corporation to withdraw claims against Cochabamba, Bolivia, bicycle lanes from Baker to Scott, biodiesel MUNI pilot program, community land trust task force, resolution urging an end to the hotel worker lockout, creating a Juvenile Justice Advisory Committee, saving the Page Street garden, urging resignation of Julie Lee from Housing Authority, resolution supporting autonomy of KPFA, resolution supporting Liberation Radio and asking the Federal Government not to interfere with micro radio stations, resolution authorizing more motorcycle parking, hearings on animal testing at UCSF, on police practices in arresting war demonstrators, and resolutions honoring poet Carl Rakosi, New Paltz Mayor Jason West, long time Sun-Reporter columnist Tom Fleming, gallery owner Charles Campbell, and Spanish prosecutor Carlos Castresana, and Milton Wolff and other veterans of the Abraham Lincoln Brigade; and

WHEREAS, Matt Gonzalez was assisted in his work by many outstanding legislative aides including Enrique Pearce, Rob Eshelman, Larry Roberts, Marianne Love, Amy Laitinen, Dave Grenell, and Jim Dorenkott; and

WHEREAS, Matt Gonzalez was elected President of the Board of Supervisors on January 8, 2003 becoming the first Latino elected to the position in the City's history and the first third party member to win the post since Franck Havenner was elected president as a member of the Progressive Party in the 1930s; and

WHEREAS, Matt Gonzalez used the appointment power of the board presidency to appoint Randall Knox to the Board of Appeals, Christina Olague to the Planning Commission, Noelle Hanrahan, Philip Ting, and Criss Romero to the Building Inspections Commission; and

WHEREAS, Matt Gonzalez brought many reforms to the board including moving the meetings from Monday to Tuesday; alternating the introduction of new items during roll call, reducing the number of full board meetings to 3 a month, and as the chief sponsor of a voter

approved measure making the job of Supervisor a full time one and designating the the salary be set by the civil service commission; and

WHEREAS, Matt Gonzalez also served as the chair of the Local Agency Formation Commission (LAFCO) during which time the agency held public meetings on desalinization, solar energy, community aggregation, tidal and wave energy, and San Francisco's freshwater lakes; and funding a study on the electric financial feasibility of municipalized power; and

WHEREAS, Matt Gonzalez brought his own style to public office hosting over 40 art shows in his City Hall office including shows by Laura Allen, Yvonne Beatty, Paul Blake, John Bovio, Laila Carlsen, Lawrence Ferlinghetti, Melina Finkelstein, Enrique Gildardo, Albert Herter, Jack Hirschman, Sam Kowarski, Josh Lazcano, Jose Ramon Lerma, Nichk Leyton, George Long, Barry McGee, Felix Macnee, Rebecca Miller, Hadley Northrop, Sherry Olson, Rene Pinchuk, Michael Rauner, Rob Reger, Steven Richards, Lynn Rubenzer, Tom Schultz, Christine Shields, Paul Spencer, ruth weiss, and Will Yakulic; and

WHEREAS, Matt Gonzalez used his TV Show on Channel 26 to promote many of the artists who showed work in his office, and filmakers such as Christian Bruno, Sam Green, Veronica Majano, David Martinez, David Murray, and Charlotte Tai, and to disseminate interviews with such public figures as Jello Biafra, Gary Birnbaum, Peter Camejo, Kevin Danaher, Arianna Huffington, Sarah Lipson, Ralph Nader, Greg Palast, Tim Redmond, Jonathan Richman, and members of the San Francisco Brewer's Guild; and

WHEREAS, Matt Gonzalez engaged the public through various public addresses including the commencement address at the San Francisco Law School in 2002, the Raven Lecture at the Boalt Law School in 2004, and by teaching a class on art & politics at the San Francisco Art Institute in 2004; and

WHEREAS, Matt Gonzalez, during his tenure in public office, published over 25 opinion editorials, book reviews and interviews in various publications including the San Francisco Chronicle, San Francisco Examiner, San Francisco Bay Guardian, San Francisco Bayview Newspaper, San Francisco Recorder, Frontlines, Mesh Magazine, Bang!, and the San Francisco Call, including interviews with former Clash lead singer and guitarist Joe Strummer and former San Francisco Sheriff Richard Hongisto; and

WHEREAS, Matt Gonzalez, while in office, was honored by the Mexican American Political Association (Nativo Lopez, state president) with their "Bert Corona" award and by In Defense of Animals (Elliot Katz, president) with their "Guardian Award"; and

WHEREAS, Matt Gonzalez ran a progressive campaign for Mayor of San Francisco in 2003 (winning 19% of the vote in the General Election) and narrowly losing to his then-colleague, Supervisor Gavin Newsom (133,000 to 119,000 votes, 53% to 47%); and

WHEREAS, Matt Gonzalez has stated his intent to return to the practice of law which he engaged in for a decade before his entry into politics; and

WHEREAS, Matt Gonzalez has been called "courageous" by Ralph Nader, a "communist" by SF Chronicle columnist Ken Garcia, and a "defender of the poor" by Dolores Huerta; and

WHEREAS, Matt Gonzalez has demonstrated that he is a fearless advocate for his causes and a courteous foe to his opponents; a friend to immigrants, poets, elephants and the downtrodden; now, therefore, be it,

RESOLVED, that the San Francisco Board of Supervisors heartily congratulates Matt Gonzalez for his exemplary public service and wishes him well in his private endeavors.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050008 **Date Passed:**

Resolution honoring Matt Gonzalez.

—

January 4, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 050008

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041756 RESOLUTION NO. 26-05

[Early Retirement of City Employees]

Resolution urging the Mayor to utilize cost savings accrued through the early retirement of fifty (50) City employees through the Early Retirement Program established by Proposition "F" in 2003 to maintain current Recreation and Parks Directors, Senior Escort Employees and Environmental Control Officers.

WHEREAS, The thirty one (31) Recreation and Parks Director positions established by the San Francisco Recreation and Parks Department provide vital services to San Francisco's children and youth; and

WHEREAS, Recreation and Parks Directors design, and implement recreational activities and programs for all San Francisco's children and youth including athletic programs, camping field trips, teams sports programs, after school programs, academic tutoring, after school recreational facilities and volunteer activities; and

WHEREAS, The estimated costs savings absorbed the general fund by the early retirement of thirty one (31) Recreation and Parks Directors is $1,500,000; and

WHEREAS The thirteen Senior Escort Employee provide essential transportation services to San Francisco's disabled senior community so that those seniors can connect to social and medical services; and

WHEREAS, Without the transportation services that the Senior Escort Program provides, disabled senior adults will have difficulty of breaking out their isolated condition, get essential medical and mental health services, will be unable to socialize with other seniors, unable to participate social programs and recreational activities; and

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WHEREAS, The estimated costs savings absorbed the general fund by the early retirement of thirteen (13) Senior Escort Program employees is $1,100,000; and

WHEREAS, The six (6) Environmental Control Officers control blight and maintain public hygiene through enforcing garbage and hazardous waste disposal regulations and issuing citations and pursuing claims against violators; and

WHEREAS, The estimated costs savings absorbed the general fund by the early retirement of six (6) Environmental Control Officer positions is approximately $800,000; and

WHEREAS, The combined estimated costs savings absorbed the general fund by the early retirement of fifty (50) City positions is $3,400,000; therefore be it

RESOLVED, that the San Francisco Board Supervisors urges the Mayor to utilize the cost savings accrued through the early retirement of fifty (50) City employees through the Early Retirement Program established by Proposition "F" in 2003 to maintain current Recreation and Parks Directors, Senior Escort Employees and Environmental Control Officers.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041756 **Date Passed:**

Resolution urging the Mayor to utilize cost savings accrued through the early retirement of fifty (50) City employees through the Early Retirement Program established by Proposition "F" in 2003 to maintain current Recreation and Parks Directors, Senior Escort Employees and Environmental Control Officers.

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041756

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

January 8, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File 041756

FILE NO. 041757 RESOLUTION NO. 27-05

[Resolution urging the implementation of measures to prevent the consumption of lead tainted candy by children in San Francisco.]

Resolution urging the United States Food and Drug Administration, the California Department of Health Services, and the San Francisco Department of Public Health to implement measures to prevent the consumption of lead tainted candy by children in San Francisco.

WHEREAS, Lead is a naturally occurring element known to be toxic to humans, particularly to infants, young children and developing fetuses; and,

WHEREAS, Lead can damage both neurologic and blood-forming systems, resulting in anemia, as well as learning disabilities and behavioral disorders which have tremendous long-term social costs; and,

WHEREAS, The U.S. Food and Drug Administration (USFDA) has recommended that children under age 6 should not consume more than 6.0 micrograms of lead each day from all food sources; and,

WHEREAS, *Chaca Chaca* and other brands of chili-candies (The CA DHS has in particular issued advisories about four other seasoning imported from Mexico: Lucas Limon, Lucas Acidito, Super Lucas and Super Jovy Chili Powder (8/4/04)) are known by both the U.S. Food and Drug Administration and the California Department of Health Services (CDHS) to be a lead-contaminated candy imported from Mexico; and,

WHEREAS, A young child eating *Chaca Chaca* or one of these other brands of chili-candy could ingest nearly twice the recommended level of lead; and,

WHEREAS, As far back as 1995, the USFDA issued a Guidance for Industry "Letter to Manufacturers, Importers, and Distributors of Imported Candy and Candy Wrappers",

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indicating that lead levels exceeding 0.5 part per million (ppm) in a candy product constitute a basis for regulatory action where frequent consumption of the candy by small children could be anticipated; and,

WHEREAS, The California Department of Health Services (CDHS) warned consumers not to eat *Chaca Chaca* or other named brands of chili-candy, lead-contaminated from Mexico in March, 2004; and,

WHEREAS, The USFDA issued an FDA Statement to the media on April 9th, 2004, committing to actions to resolve the problem of lead in imported candies; and,

WHEREAS, The USFDA has not conducted a consumer awareness campaign on this issue since an April 2001; and,

WHEREAS, Recent surveys of Parents and Teachers in San Francisco's Mission District found significant consumption of lead-contaminated candy products among Latino children under 7 years old; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby urges the US Food and Drug Administration to evaluate and report on progress on commitments made in their press statement of April 9, 2004, specifically reporting on actions to resolve problem of lead contamination in the manufacturing process, to increase public awareness of the problem, to detain future shipments of *Chaca Chaca* other named brands of chili-based candy from Mexico, and to prevent future importation of lead contaminated candy into the United States; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby urges the California Department of Health Services to indicate the effectiveness of the consumer warning they issued on March 18, 2004 as well as reporting of sellers of the *Chaca Chaca* or other named brands of chili-candy reported to the CDHS' Services Complaint Hotline; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby urges the Department of Public Health to send an advisory to San Francisco grocers, convenience store, and liquor store owners citywide, requesting the voluntary removal of all candy having been identified by Federal and State agencies as potentially containing lead; and, be it,

FURTHER RESOLVED, That the Board of Supervisors hereby urges the Department of Public Health to conduct a consumer awareness campaign publicizing the results of lead testing in import candies; to distribute educational materials to schools, child care providers, emergency rooms and health centers, and Women, Infant and Children centers in high-risk areas.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041757 **Date Passed:**

Resolution urging the United States Food and Drug Administration, the California Department of Health Services, and the San Francisco Department of Public Health to implement measures to prevent the consumption of lead tainted candy by children in San Francisco.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041757

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

January 8, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File 041757

FILE NO. 041758 RESOLUTION NO. 28-05

[Appointing Youth to the Library Commission.]

Resolution urging the Mayor to stand by his commitment to the youth of San Francisco by appointing youth to the Library Commission.

WHEREAS, Service to youth has been a mainstay of the history of the San Francisco Public Library; and

WHEREAS, In the City and County of San Francisco, 30,758 teens between the ages of 13-19 made use of the public library in 2003 and 2004; and,

WHEREAS, Libraries report that they expect to serve even more youth in the near future through reading programs, computer classes, and other various workshops; and,

WHEREAS, From July 2003 to June 2004, there were a total of 1,238 programs and monthly events held for teens, and a total of 30,758 teens who attended these programs; and,

WHEREAS, Nationally, nearly 100 percent of libraries provide book discussions, storytelling, and summer reading, which are primarily targeted to elementary school youth; and,

WHEREAS, Eighty-three percent of presentations by authors, musical or dramatic performances, and creative writing workshops are also aimed at elementary school youth; and,

WHEREAS, Forty-two percent of libraries offer community service and leadership programs where older students serve as tutors for their peers or have young people working as volunteers in the library, for which middle school students are the primary targets, followed by high school students; and,

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WHEREAS, Thirty-three percent of libraries provide computer classes and workshops, which include introduction to the Internet, web page design, or instruction in specific software programs; both elementary and middle school students benefit from these programs; and,

WHEREAS, Twenty-three percent of libraries offer homework assistance, special places set aside where young people can work in private, have access to basic reference books, and take advantage of tutoring programs or telephone "hotlines" for answers to questions about their school work; said programs are primarily intended for elementary school students; and,

WHEREAS, Nineteen percent of libraries provide career development programs, making information available about careers and organizing career fairs and presentations about various employment opportunities; high school students are the most frequent targets for career development programs; and,

WHEREAS, Due to the $129 million library bond passed in 2000, there are plans to add teen spaces in the overall renovation plans of the public libraries; and,

WHEREAS, The public library is one of the few free safe-spaces for the youth in San Francisco; and,

WHEREAS, The San Francisco Public Library currently offers such programs as SAT preparation, teen poetry writing workshops, summer reading programs, Chinatown Teen 'Zine, a bilingual online teen magazine that offers workshops on computer skills, digital photography, writing, editing and Web-page design; the library also offers many more teen programs that have a positive impact on the lives of youth; and,

WHEREAS, Currently many teens feel that most libraries are not in-step with the needs of teens; and,

WHEREAS, The best advocate for youth, is youth; and,

WHEREAS, The San Francisco Youth Commission passed resolution 0405-003, which urges the Mayor to appoint a youth to the Library Commission, now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby urges the Mayor to stand by his commitment to the youth of San Francisco by appointing youth to the Library Commission; and be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the Mayor to appoint a City Librarian that shows a real interest in making the San Francisco Public Library and all of its branches safe-spaces for youth, will be willing to let youth have a say in how they want to see their library function, and provide more services and programs that accommodate the teen population.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041758 **Date Passed:**

Resolution urging the Mayor to stand by his commitment to the youth of San Francisco by appointing youth to the Library Commission.

—

January 4, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041758

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 08 2005

Date Approved

Mayor Gavin Newsom

January 8, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File 041758

FILE NO. 041761 RESOLUTION NO. 29-05

[Opposing the Assembly Constitutional Amendment Bill 5.]

Resolution opposing Assembly Constitutional Amendment Bill 5, regarding benefit plans for union workers.

WHEREAS, Defined benefit pensions offered to employees of the City and County of San Francisco (by the San Francisco Employee Retirement System and the California Public Employee Retirement System) provide security and dignity after retirement with a guaranteed pension for those who have dedicated decades to public service; and,

WHEREAS, Defined contribution plans unnecessarily expose workers to investment and interest rate risks, putting all of their retirement savings at risk; and,

WHEREAS, Defined benefit plans provide supplemental benefits, including disability, cost of living adjustments, and death benefits, while defined contribution plans provide no such benefit; and,

WHEREAS, Studies performed by the Nebraska Retirement Systems and the Colorado Public Employees Retirement Association, as well as other studies performed by academic experts, have concluded after due examination that defined contribution plans cannot be expected to provide adequate retirement benefits, and that participants will not benefit from the introduction of defined contribution plans; and,

WHEREAS, The people of the City and County of San Francisco, by their Charter, and granted to them by the home rule provisions of the California Constitution, have determined to offer and extend and enhance defined benefits to public employees; and,

WHEREAS, Assemblyman Keith Richman has introduced a proposed Assembly Constitutional Amendment (ACA 5) that would prohibit, after July 1, 2007, all newly hired public employees from enrolling in a defined benefit pension plan and would instead mandate

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their enrollment in a third party administered defined contribution plan named the California Public Employee Defined Contribution Plan; and,

WHEREAS, ACA 5 proposes to pre-empt the ability of the people in Charter cities and counties from their ability to confer defined benefit retirement plans; and,

WHEREAS, The effort to convert defined benefit pensions to defined contribution plans is part of a concerted national attack on retirement security and the social safety net, including efforts to privatize Social Security; now, therefore, be it

RESOLVED, That the City and County of San Francisco is opposed in principle to the replacement of defined benefit plans with defined contribution plans as the core retirement benefit of its employees, whether that replacement takes the form of mandatory or optional conversion, and will take all appropriate action with the legislature, other local governments, and the general public to actively oppose such conversion efforts, including registering our strong opposition to Assembly Constitutional Amendment 5.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041761 **Date Passed:**

Resolution opposing Assembly Constitutional Amendment Bill 5, regarding benefit plans for union workers.

—

January 4, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Daly

File No. 041761

I hereby certify that the foregoing Resolution was ADOPTED on January 4, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay

Gloria L. Young
Clerk of the Board

1-12-05

Date Approved

Mayor Gavin Newsom

FILE NO. 041726 RESOLUTION NO. 30-05

[Accept-Expend State Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $150,000 from the California Department of Justice, Antitrust Law Section, for the purpose of launching a new certified farmers' market in Bayview Hunters Point and providing nutrition education to community residents.

WHEREAS, Based upon the evaluation of responses to a request for proposals in the area of health and nutrition of California consumers, the California Department of Justice, Antitrust Law Section, has selected the Department of the Environment's Environmental Justice Program to be the recipient of $150,000 in funding through the Salton Settlement Fund to coordinate a local collaborative to organize and operate a pilot farmers' market in Bayview Hunters Point, in order to provide residents access to produce and nutritious, prepared foods; and,

WHEREAS, food security and access to healthy food is a tremendous need in low-income neighborhoods such as Bayview Hunters Point; and,

WHEREAS, poverty, affordability, lack of access, and lack of transportation are barriers for Bayview Hunters Point residents to obtain produce and other healthy foods; and,

WHEREAS, studies have shown that corner stores are the primary local food source available for Bayview Hunters Point residents; and,

WHEREAS, foods commonly purchased at these corner stores are typically high in fat content; and,

WHEREAS, high fat diets are associated with obesity, heart disease, diabetes, certain types of cancer, and can exacerbate other health problems such as asthma which is highly prevalent in the Bayview Hunters Point community; and,

Supervisor Maxwell
Department of the Environment
BOARD OF SUPERVISORS

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WHEREAS, farmers' markets are a means to provide fresh, healthy produce to communities at reasonable prices and also contribute to the income of small local farmers; and,

WHEREAS, The Department of the Environment's Environmental Justice Program has partnered with GIRLS 2000 and Literacy for Environmental Justice, two Bayview Hunters Point community organizations with experience in addressing community food insecurity, to organize a certified farmers' market in the neighborhood; and,

WHEREAS, The Department of the Environment and its partners will conduct extensive outreach and provide nutrition education for Bayview Hunters Point residents; and,

WHEREAS, The Department of the Environment will also bring together key staff from other City departments, community residents and organizations, sustainable agriculture advocates, and food security advocates to launch this project; and,

WHEREAS, Funding from this grant will be necessary to implement this project; and,

WHEREAS, The grant budget includes provision for indirect costs of $9000.00; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of the Department of the Environment to accept and expend funding in the amount of $150,000 from the California Department of Justice Antitrust Law Section to launch a certified farmers' market and conduct nutrition education and outreach in Bayview Hunters Point.

Recommended:

Department Head

Approved: _____
Mayor

Approved: _____
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041726 **Date Passed:**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $150,000 from the California Department of Justice, Antitrust Law Section, for the purpose of launching a new certified farmers' market in Bayview Hunters Point and providing nutrition education to community residents.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041726

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

01. 13. 05

Date Approved

Mayor Gavin Newsom

FILE NO. 041434 RESOLUTION NO. 81-05

[Report of assessment costs for sidewalk and curb repairs.]

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

RESOLVED, That the property owner declined to request an administrative review hearing of the DPW Director's determination that said owner was obligated to repay the costs of repair to the City and County, and proper notice was provided to the owner concerning the right to a hearing. The Board of Supervisors hereby confirms that report of assessment costs described in DPW Order 175, 026, including modifications as the Board deems at necessary, be restored to the City and County revolving fund; and be it

FURTHER RESOLVED, That a copy of this resolution and a copy of said itemized Report of Assessment Costs confirmed by the Board shall be transmitted to the Controller and Tax Collector of the City and County, whereupon it shall be the duty of said officers to add the amount of each assessment to the next regular bill for taxes levied against each respective parcel of land, and thereafter each said amount shall be collected at the same time and in the same manner as ordinary City and County taxes are collected, and shall be subject to the same procedure under foreclosure and sale in case of delinquency as provided for ordinary taxes of the City and County; and, be it

FURTHER RESOLVED, That all monies received in payment of the

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assessments shall be credited to the revolving fund provided for in Section 706.8 of the Public Works Code, except that the portion of the assessments attributable to the cost of City Administration shall be credited to the Administrative Account of Sidewalk Repair revolving fund (Index Code 040394, Funds 02-099 Project/Work Phase 002-11).

FURTHER RESOLVED,

RECOMMENDED:

Robert Beck
Deputy Director for Engineering

APPROVED:

for Edwin M. Lee
Director of Public Works

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041434 **Date Passed:**

Resolution approving report of assessment costs submitted by the Director of Public Works for sidewalk and curb repairs ordered to be performed by said Director pursuant to Sections 707 and 707.1 of the Public Works Code, the costs thereof having been paid for out of a revolving fund.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041434

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041523 RESOLUTION NO. 32-05

[Parking Regulations.]

Resolution enacting and rescinding parking regulations at various locations.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the parking of vehicles are hereby enacted or rescinded as designated below:

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

John Muir Drive, south side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

TOW-AWAY, NO PARKING, 10 PM to 6 AM EVERYDAY - ESTABLISH

John Muir Drive, north side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 11-5-04

Gerald Robbins Date
Department of Parking and Traffic

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Supervisor Ebbend

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041523 **Date Passed:**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
John Muir Drive, south side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

TOW-AWAY, NO PARKING, 10 PM to 6 AM EVERYDAY - ESTABLISH
John Muir Drive, north side, from 50 feet east of the east property line of the Lakewood Apartments (end of angled parking) to Lake Merced Boulevard.

—

January 11, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041523

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041657 RESOLUTION NO. 33-05

[Grant of Federal Funds.]

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,976,400 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 construction projects, excluding administrative overhead costs.

WHEREAS, The U.S. Secretary of Transportation is authorized to make monies available pursuant to the Transportation Equity Act for the 21st Century (TEA 21) for mass transportation projects; and

WHEREAS, The Municipal Transportation Agency (MTA), City and County of San Francisco, is an eligible claimant for Federal Transit Administration (FTA) capital assistance projects under Section 115 of the Consolidated Appropriations Act of 2004; and

WHEREAS, No local share of project costs is required under this grant; and

WHEREAS, It is required that in connection with the filing of an application for federal assistance, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and DOT requirements under that act; and

WHEREAS, It is the goal of the applicant that Disadvantaged Business Enterprises (DBEs) be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered, consistent with federal law, to ensure that DBEs shall have maximum opportunity to compete for contracts, supplies, equipment contracts, or consultant and other services; and

WHEREAS, Congress has dedicated funding in TEA 21 for a national program of projects using Section 115 capital assistance; and

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WHEREAS, The Municipal Railway's (Muni's) Radio System Replacement and Third Street Phase 1 construction projects, included in the national program, are high priority San Francisco projects; and

WHEREAS, The Director of Transportation of the MTA (or his designee) must execute agreements to complete transfer of the funds; now, therefore, be it

RESOLVED, That the MTA is authorized to accept and expend $3,976,400 in Section 115 capital assistance from the FTA for Muni's Radio System Replacement and Third Street Phase 1 construction projects; and, be it

FURTHER RESOLVED, That the MTA is authorized to furnish whatever additional information or assurances may be requested by the funding agencies in connection with this request; and, be it

FURTHER RESOLVED, That the MTA is authorized to execute any and all agreements necessary to complete transfer of the funds

RECOMMENDED:

GAVIN NEWSOM
Mayor

EDWARD HARRINGTON
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041657 **Date Passed:**

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,976,400 of Section 115 funds from the Federal Transit Administration for the Municipal Railway's Radio System Replacement and Third Street Phase 1 construction projects, excluding administrative overhead costs.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041657

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041660 RESOLUTION NO. 34-05

[Accept-Expend Federal Grant]

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $30,000 from the Environmental Protection Agency to develop the San Francisco Green Healthcare Working Group consisting of local healthcare professionals and to facilitate ongoing meetings to conduct hands-on training to its members on a broad range of pollution prevention and resource conservation strategies.

WHEREAS, Based upon evaluation of responses to an Environmental Protection Agency request for proposals in the area of Source Reduction, the Department of the Environment's Toxics Program was selected to be the recipient of $30,000 in funding to develop the San Francisco Healthcare Working Group and achieve reductions in the levels of pollutants (e.g. – mercury, dioxins) entering the environment by providing hands-on support to local hospital staff to help them implement resource conservation strategies that will minimize waste and toxic chemicals; and,

WHEREAS, The healthcare industry has been shown to have significant impacts on the environment; and,

WHEREAS, Recent federal studies found that hospitals were incorrectly incinerating millions of pounds of waste that could be diverted or treated by safer methods; and,

WHEREAS, Initial surveys of local hospitals show that health care facilities are struggling with proper segregation of medical waste and have a strong need for hands-on support; and,

WHEREAS, The Department of the Environment operates one of the most progressive waste diversion programs in the country and is ideally positioned to apply its recycling and recovery knowledge to healthcare sector; and,

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WHEREAS, The Department of the Environment's Toxics Program has partnered with Kaiser Permanente, a leader in environmental stewardship in the healthcare sector, to address the challenges faced by the industry; and,

WHEREAS, The Department of the Environment will bring together key staff from local hospitals, environmental and occupational health advocates, healthcare professional organizations and consultants to create a San Francisco Healthcare Working Group; and,

WHEREAS, San Francisco will facilitate bi-monthly sessions for members, that offer presentations by technical experts followed by discussions structured around implementation barriers, challenges and pollution prevention successes; and,

WHEREAS, Funding from this grant will help create and coordinate the Healthcare Working Group; and,

WHEREAS, The Department of the Environment will assign staff and resources to go beyond information sharing to address the challenges experienced by local hospitals and to ensure that information obtained will be translated into action; and,

WHEREAS, The Department of the Environment will conduct extensive outreach to local hospitals and will provide onsite training and consultation opportunities to help implement at least three pilot pollution prevention programs in interested hospitals; and,

WHEREAS, San Francisco's Healthcare Working Group will serve as an important model in the region and beyond, as it will help showcase green practices adopted by local hospitals and motivate other healthcare systems in the region to adopt the same; and,

WHEREAS, The grant budget includes provision for indirect costs of $2,727.00 now; therefore, be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of the Department of the Environment to accept and expend funding in the amount of $30,000

from the Environmental Protection Agency to develop the San Francisco Healthcare Working Group.

Recommended:

Department Head

Approved:

Mayor

Approved:

Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041660 **Date Passed:**

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $30,000 from the Environmental Protection Agency to develop the San Francisco Green Healthcare Working Group consisting of local healthcare professionals and to facilitate ongoing meetings to conduct hands-on training to its members on a broad range of pollution prevention and resource conservation strategies.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041660

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041749 RESOLUTION NO. 35-05

[Parking Regulations – Fell Street.]

Resolution enacting parking regulation on a portion of Fell Street.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulation governing the movement of vehicles are hereby enacted as designated below:

TOW-AWAY NO STOPPING AT ANY TIME - ESTABLISH

Fell Street, south side, from 10 east of Masonic Avenue to 60 feet east of Masonic Avenue (50 foot zone).

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or results in more than a negligible increase in the use of the street.

Gerald Robbins 12-13-04

Gerald Robbins Date
Department of Parking and Traffic

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041749 **Date Passed:**

Resolution enacting parking regulations on a portion of Fell Street.

TOW-AWAY, NO STOPPING AT ANYTIME - ESTABLISH
Fell Street, south side, from 10 east of Masonic Avenue to 60 feet east of Masonic Avenue (50 foot zone).

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

File No. 041749

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041772 RESOLUTION NO. 36-05

[Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution retaining Janet Reilly, Sabrina Hernandez, Leah Shahum and Maryanne Harrison, for terms subject to review and affirmation by January 31, 2007, on the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

RESOLVED, That pursuant to the provisions of the California Streets and Highways Code, Section 27124, the Board of Supervisors of the City and County of San Francisco hereby retains the following named persons as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District:

Janet Reilly, succeeding Janet Reilly, term expiring January 31, 2005, seat 1, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Sabrina Hernandez, succeeding Sabrina Hernandez, term expiring January 31, 2005, seat 2, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Leah Shahum, succeeding Leah Shahum, term expiring January 31, 2005, seat 3, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007.

Maryanne Harrison, succeeding Maryanne Harrison, term expiring January 31, 2005, seat 4, represents public at large, subject to review and affirmation by the Board of Supervisors in January of each odd-numbered year, for a new two-year term ending January 31, 2007; and be it

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FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to transmit a certified copy hereof to the Secretary of State of the State of California, to the Executive Director of the Golden Gate Bridge, Highway and Transportation District, and to the California Department of Transportation.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041772 **Date Passed:**

Resolution retaining Janet Reilly, Sabrina Hernandez, Leah Shaum and Maryanne Harrison, for terms subject to review and affirmation by January 31, 2007, on the Board of Directors, Golden Gate Bridge, Highway and Transportation District.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Daly

File No. 041772

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041774 RESOLUTION NO. 37-05

[Appointment – Child Care Planning and Advisory Council]

Resolution appointing Juanita Santana, term ending December 31, 2005, to the Child Care Planning and Advisory Council.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Child Care Planning and Advisory Council, pursuant to the provisions of the San Francisco Administrative Code, Section 5.200, and California Education Code, Sections 8499-8499.8, for the term specified:

Juanita Santana, new appointment, seat 7, must be a nominee of District 7 Supervisor selected from: parent advisory councils of public and private child care programs; associations of child care centers, family day care providers and Head Start; public interest organizations including but not limited to the Child Care Law Center; community organizations; the Bay Area Employer Work and Family Coalition; and members of labor organizations and local organizations that fall within the definition of "community representative", for the unexpired portion of a three-year term ending December 31, 2005.

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Rules Committee

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 041774 **Date Passed:**

Resolution appointing Juanita Santana, term ending December 31, 2005, to the Child Care Planning and Advisory Council.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

File No. 041774

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041776 RESOLUTION NO. 38-05

[Appointment – Developmental Disabilities Area Board V]

Resolution appointing Levi Nnaemeka, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Developmental Disabilities Area Board V, pursuant to the provisions of the California Welfare and Institutions Code, Section 4575, for the term specified:

Levi Nnaemeka, succeeding Levi Nnaemeka, term expired, seat 1, must represent general public, for a new three-year term ending December 31, 2007.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041776 **Date Passed:**

Resolution appointing Levi Nnaemeka, term ending December 31, 2007, to the Developmental Disabilities Area Board V.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

File No. 041776

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041777 RESOLUTION NO. 39-05

[Appointment - Bicycle Advisory Committee]

Resolution appointing Gernado (Jerry) Ervin, term ending November 19, 2006, to the Bicycle Advisory Committee.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Bicycle Advisory Committee, pursuant to the provisions of Administrative Code Section 5.130 et seq.; and amended by Ordinance No. 179-02, for the term specified:

Gernado (Jerry) Ervin, succeeding Jerry Ervin, term expired, seat 8, must be a nominee of District 8 Supervisor, for the unexpired portion of a two-year term ending November 19, 2006.

Rules Committee

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041777 **Date Passed:**

Resolution appointing Gernado (Jerry) Ervin, term ending November 19, 2006, to the Bicycle Advisory Committee.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Daly

File No. 041777

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050002 RESOLUTION NO. 40-05

[Apply for Resolution]

Resolution authorizing the Department of the Environment to apply for a grant in the amount of $350,000.00 from the Bay Area Air Quality Management District for the purpose of reducing emissions from solid waste collection vehicles.

WHEREAS, the California Air Resources Board has adopted a new regulation that applies to public and private owners of solid waste collection vehicles (SWCVs) that perform residential and commercial solid waste collection; and,

WHEREAS, the regulation requires fleet owners to employ Best Available Control Technology (BAST) to reduce emissions of diesel particulate matter (PM) from SWCVs; and,

WHEREAS, the Bay Area Air Quality Management District has allocated funding from the Transportation Fund for Clean Air to assist refuse fleets in choosing rule compliance strategies that reduce emissions beyond the requirements of the rule; and,

WHEREAS, local government agencies within the jurisdiction of the Bay Area Air Quality Management District are eligible to receive these funds on behalf of the SWCVs they hold under contract to perform solid waste collection; now, therefore, be it

RESOLVED, That the Director of the Department of the Environment, or a designee, is hereby authorized and empowered to execute in the name of the City and County of San Francisco all necessary applications, contracts, payment requests, agreements and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

Recommended: _____ Approved: _____

Department Head Board of Supervisors

Department of the Environment
~~BOARD OF SUPERVISORS~~
Supervisor Alioto-Pier
Board of Supervisors

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050002 **Date Passed:**

Resolution authorizing the Department of the Environment to apply for a grant in the amount of $350,000.00 from the Bay Area Air Quality Management District for the purpose of reducing emissions from solid waste collection vehicles.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050002

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050005 RESOLUTION NO. 41-05

[Resolution commending Carol Knight for her 34 years of service to the City and County of San Francisco]

Resolution commending Carol Knight for her 34 years of service to the City and County of San Francisco.

WHEREAS, Carol Knight began her service to the City's employees on January 19, 1970, at the San Francisco Retirement System at 450 McAllister Street, processing worker's compensation claims for City workers injured on the job; and

WHEREAS, Carol Knight also worked at Social Services as an account clerk for six months in 1976; and

WHEREAS, Carol Knight, a loyal and energetic champion of San Francisco employees, is retiring from the San Francisco Department of Health as a Senior Payroll Clerk, having performed outstanding public service for 34 years for the City throughout her tenure which ended December 31, 2004; now therefore be it

RESOLVED, that the Board of Supervisors honors Carol Knight for her service to the City and its workers.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050005 **Date Passed:**

Resolution commending Carol Knight for her 34 years of service to the City and County of San Francisco.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050005

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050006 RESOLUTION NO. 42-05

[Commending United California Practitioners of Chinese Medicine]

Resolution commending United California Practitioners of Chinese Medicine on the occasion of their Tenth Board Installation Ceremony.

WHEREAS, United California Practitioners of Chinese Medicine is an association of over a dozen academic organizations of Chinese medicine; and,

WHEREAS, United California Practitioners of Chinese Medicine is one of the largest professional associations in Northern California; and,

WHEREAS, United California Practitioners of Chinese Medicine has made great strides to advance and benefit the profession of Chinese practitioners; and,

WHEREAS, United California Practitioners of Chinese Medicine has successfully advocated for the profession on issues of politics, academics, education, public relations, as well as member benefits issues since 1995; and,

WHEREAS, United California Practitioners of Chinese Medicine will be holding their Tenth Board Installation Ceremony on January 9, 2005; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby commends United California Practitioners of Chinese Medicine on the occasion of their Tenth Board Installation Ceremony.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050006 **Date Passed:**

Resolution commending United California Practitioners of Chinese Medicine on the occasion of their Tenth Board Installation Ceremony.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050006

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

2 1 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050009 RESOLUTION NO. 43-05

[Accept-Expend Federal and State Grants]

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $780,675 and a state grant in the amount of $101,145 from the Metropolitan Transportation Commission for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project.

WHEREAS, Whereas, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and,

WHEREAS, As part of that new process, the Metropolitan Transportation Commission (MTC) is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to Government Code Section 14527(b), for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the Regional Transportation Improvement Program; and

WHEREAS, Applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and

WHEREAS, The San Francisco Department of Public Works is a sponsor of transportation projects eligible for Regional Improvement Program funds; and

WHEREAS, The RTIP project nomination sheet of the Stockton Street Tunnel Lighting and Pedestrian Improvements Project application lists the project, purpose, schedule and

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budget for which the San Francisco Department of Public Works is requesting that MTC program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program; and

WHEREAS, Part 2 of the project application includes the certification by San Francisco Department of Public Works of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

WHEREAS, As the Congestion Management Agency for San Francisco, the San Francisco County Transportation Authority recommends the program of projects to receive San Francisco's county share Transportation Enhancement Activities (TEA) funds; and

WHEREAS, The Transportation Authority has included the Stockton Street Tunnel Lighting and Pedestrian Improvements project in its program of projects, and

WHEREAS, The Transportation Authority's Citizens Advisory Committee approved the program of projects at their December 8, 2004 meeting; and

WHEREAS, The federal TEA funds will cover 88.5 percent of eligible costs as defined by the Federal Highway Administration and administered by Caltrans; and,

WHEREAS, The non-federal share of funds from the State Highway Account will cover 11.5 percent of eligible costs; and

WHEREAS, The Department of Public Works proposes to maximize use of available grant funds on project expenditures by not including indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of Public Works to accept and expend a $780,675 federal grant and a $101,145 state grant from MTC for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project and to execute all documents therefor; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget to maximize use of available grant funds on project expenditures; and be it

FURTHER RESOLVED, That the San Francisco Department of Public Works has reviewed the project and has adequate staffing resources to deliver and complete the project within the schedule set forth in the RTIP project nomination sheet of the project application; and be it

FURTHER RESOLVED, That the San Francisco Department of Public Works is an eligible sponsor of projects in the State Transportation Improvement Program; and be it

FURTHER RESOLVED, That the San Francisco Department of Public Works is authorized to submit an application for State Transportation Improvement Program funds for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project; and be it

FURTHER RESOLVED, That there is no legal impediment to the San Francisco Department of Public Works making applications for Regional Improvement Program funds; and be it

FURTHER RESOLVED, That there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the San Francisco Department of Public Works to deliver such project; and be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of Public Works or his or her designee to execute and file an application with MTC to program Regional Improvement Program funds into the Regional Transportation Improvement Program, for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project.

Recommended:

Department Head

Approved:

for Mayor

Approved:

Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050009 **Date Passed:**

Resolution authorizing the Department of Public Works to accept and expend a federal grant in the amount of $780,675 and a state grant in the amount of $101,145 from the Metropolitan Transportation Commission for the Stockton Street Tunnel Lighting and Pedestrian Improvements Project.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050009

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

FILE NO. 050019 RESOLUTION NO. 44-05

[Honoring 32nd Anniversary of Roe v. Wade]

Resolution recognizing January 22, 2005 as "Stand Up For Choice Day" in honor of the 32nd anniversary of the landmark 1973 United States Supreme Court decision of Roe v. Wade establishing a woman's constitutional right to decide when and if to have a child; and further supporting the local Pro-Choice community demonstrating in San Francisco to defend a woman's right to choose safe and legal abortion and birth control and further urging all legal authorities to fully facilitate the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice climate on the federal level and in state legislatures and courts throughout the country.

WHEREAS, The 1973 landmark United States Supreme Court decided Roe v. Wade (the "Roe decision") decision recognized the right of women to control their reproductive lives is central to their ability to participate fully and equally in the economic and social spheres of society; and

WHEREAS, The Roe decision states that (1) the decision to have an abortion is accorded the highest level of constitutional protection, like any other fundamental constitutional right, (2) state laws regarding abortion must be neutral with respect to influencing a woman's decision whether or not to have an abortion, (3) in the period before a fetus is viable, the government may restrict abortion only to protect a woman's health, and (4) after a fetus becomes viable, a state government may prohibit abortion, provided that such state's laws must permit abortion where necessary to protect a women's health or life; and

WHEREAS, The protected right to make childbearing decisions, including abortion, has enabled women to pursue educational and employment opportunities that were often unattainable prior to the Roe decision; and

WHEREAS, The Center for Reproductive Rights reports that prior to the Roe decision, between 200,000 and 1.2 million illegally induced abortions occurred in the United States each year; and

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WHEREAS, In 1992, the United States Supreme Court decided Planned Parenthood of Southeastern Pennsylvania v. Casey (the "Casey decision"), where, although it upheld a woman's right to choose, it also allowed federal, state and local laws that favor fetal rights and burden a woman's choice to have abortion, as long as the burden is not "undue;" and

WHEREAS, The Casey decision has unlocked the door to hundreds of state and federal criminal restrictions designed to discourage women from accessing abortion and to promote the rights of the fetus throughout pregnancy; and

WHEREAS, According to the Allen Gutmacher Institute (AGI), since 1996, more than 300 criminal abortion restrictions have been enacted by state and federal legislatures, none of which would have been constitutional under the original Roe decision; and

WHEREAS. According to Planned Parenthood, only eight states, including California, do not mandate parental involvement before a minor can obtain an abortion; and

WHEREAS, According to AGI, as of January 1, 2004, twenty-one (21) states will have laws in effect that require a woman to wait for a period of time, usually twenty four (24) hours, but up to as many as seventy-two (72) hours, after receiving state-directed counseling before she can receive an abortion; and

WHEREAS, These restrictions on access to abortion particularly discriminate against young women, poor women and women of color; and

WHEREAS, AGI indicates that 87 percent of all counties in the United States do not have an abortion provider; and

WHEREAS, For the first time since Roe v. Wade was decided, anti-choice officials are firmly in control of both the executive and legislative branches of the federal government; and

WHEREAS, The United States Supreme Court is only one vacancy away from eliminating the Constitutional right to abortion; and

WHEREAS, Anti-choice leaders in the Bush Administration and the federal government are imposing their anti-choice ideology on the world's most vulnerable women worldwide by blocking international family planning funding and promoting ineffective and harmful abstinence-only programs abroad; and

WHEREAS, On January 22nd, people from all over the San Francisco Bay Area and beyond will gather to defend one of our most prized rights and liberties, the freedom of women to control their reproductive health, lives and futures; now, therefore, be

RESOLVED, That the Board of Supervisors recognizes January 22nd, 2005 as "Stand Up for Choice Day" in honor of the landmark 1973 United States Supreme Court decision of Roe. v. Wade, which established a woman's constitutional right to decide when and if to have a child; and, be it

FURTHER RESOLVED, That the Board of Supervisors support the local Pro-Choice community demonstrating in San Francisco to defend a woman's right to choose safe and legal abortion and birth control; and, be it

FURTHER RESOLVED, That the Board of Supervisors urge all legal authorities to fully facilitate the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice climate on the federal level and in state legislatures and courts throughout the country.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050019 **Date Passed:**

Resolution recognizing January 22, 2005 as "Stand Up For Choice Day" in honor of the 32nd anniversary of the landmark 1973 United States Supreme Court decision of Roe v. Wade establishing a woman's constitutional right to decide when and if to have a child; and further supporting the local Pro-Choice community demonstrating in San Francisco to defend a woman's right to choose safe and legal abortion and birth control and further urging all legal authorities to fully facilitate the protection of the right of women to control their reproductive health, lives and futures in an ever-increasingly hostile anti-choice climate on the federal level and in state legislatures and courts throughout the country.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050019

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050026 RESOLUTION NO. 45-05

[Honoring 31st Anniversary of the Synergy School]

Resolution recognizing the 31st Anniversary of the Synergy School and declaring February 12, 2005 as "Synergy School Day" in City and County of San Francisco.

WHEREAS, The Synergy School was established in 1974 as a teacher-owned non-profit cooperative; and

WHEREAS, The Synergy School has been a leader in the pioneering peer-based learning within a supportive multi-cultural environment for elementary and middle school children and adolescents; and

WHEREAS, Through a peer-based model, the School has successfully fostered self-confidence, cooperation, creativity, and multi-cultural competency within its students for more than three decades; and

WHEREAS, Community involvement has been integral part of the success of the school and involving parents, neighbors, the philanthropic and business community in raising funds for scholarships, extracurricular and recreational activities for students; now, therefore, be it

RESOLVED, That the Board of Supervisors commends the Synergy School on its 31st anniversary and declares February 12, 2005 as "Synergy School Day" in the City and County of San Francisco.

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City Hall
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File Number: 050026 **Date Passed:**

Resolution recognizing the 31st Anniversary of the Synergy School and declaring February 12, 2005 as "Synergy School Day" in City and County of San Francisco.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050026

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050027 RESOLUTION NO. 46-05

[Proclaiming January 15, 2005, Paul Boden Day in San Francisco.]

Resolution proclaiming January 15, 2005 as Paul Boden Day.

WHEREAS, Paul Boden began his career as a homeless person and soon became an advocate for other homeless people while staying and volunteering at Central City Hospitality House (CCH) and acting as a volunteer in 1981; and,

WHEREAS, Paul Boden advocated for and obtained the first formal declaration from the City of San Francisco forbidding owners of tourist hotels to "double people up" in tiny rooms; and,

WHEREAS, In 1987, Mr. Boden founded the Coalition on Homelessness (COH) as an organization of homeless people, providers, and advocates to act as a voice of and for homeless people; and,

WHEREAS, In 1990, Mr. Boden co-drafted the document "Transitional Housing - the Next Step" which led to the creation of the Community Housing Partnership (CHP), so that homeless people could have permanent, affordable housing with on-site supportive services and employment opportunities instead of doing the "28 day shuffle"; and,

WHEREAS, Mr. Boden served as Board President of the CHP for 10 years, guiding the organization through its early years as a new organization; and,

WHEREAS, For over 17 years, Paul Boden led the COH through many victories such as the creation of the CHP, which together with other organizations resulted in hundreds of units of housing run by and for homeless people, the Treatment on Demand campaign which resulted in thousands of new substance abuse treatment slots, and the Shelter Grievance Project, which made San Francisco the first place in the country where shelter residents had the right to independent due process before being put out of the shelter system; and,

WHEREAS, In 1990, Mr. Boden made his first appearance on national television on "Nightline" with Ted Koppel, learning the value of speaking in "sound bites" that he used well ever since on countless national and local television, radio and newspaper media; and,

WHEREAS, In 1995, Mr. Boden envisioned and helped to create a new type of training program called HOMEWORC that based its training on teaching line staff in service organizations the skills they needed to move up into management positions and "break the glass ceiling"; and,

WHEREAS, Mr. Boden helped stave off massive cuts to social programs year after year; ensured homeless families were recognized when homelessness was being discussed and infused such reforms into the Housing Authority as filling vacant units, violence transfers, homeless preferences, community liaison an revolving fund; and,

WHEREAS, As Coalition Director, he helped initiate the creation of annual reports on the mental health system, the shelter system, the substance abuse treatment system, welfare system and more; and,

WHEREAS, Mr. Boden spent countless hours on every official homeless plan to come out of San Francisco including Beyond Shelter, Continuum of Care Plan (1996, 2001) and the Ten Year Plan of 2004; and,

WHEREAS, Paul Boden took a leadership role in ensuring a quality alternative newspaper, the Street Sheet, that allows the writing, artwork, and poetry of disenfranchised homeless people to enter the discourse of the San Francisco population; and,

WHEREAS, Mr. Boden played a visionary and leadership role in strengthening many community organizations as a Board member, such as Central City Hospitality House and CHP; and,

WHEREAS, Mr. Boden worked tirelessly for over ten years, through 4 administrations to win the passage of a Shelter Monitoring Committee; and

WHEREAS, Paul Boden spearheaded efforts to fill gaps in the homeless service system by fighting for the creation of such programs as A Women's Place, McMillan Drop-In Center, Oshun Center, and the Mission Resource Center; and,

WHEREAS, Mr. Boden worked to ensure homeless people had a strong, loud, clear and articulate voice in the design and monitoring of homeless policies and programs in San Francisco and across the country; and,

WHEREAS, Beginning in 1994, Paul Boden served as member of the Board of Directors for 8 years of the National Coalition for the Homeless; he helped restructure the organization, stave off cuts to federal homeless and housing programs, introduce federal legislation affecting homeless people, and draft the "Bring America Home Act" that is currently making its way through Congress; and,

WHEREAS, Paul Boden helped countless homeless people fight through their own struggle to become fighters on their own; and,

WHEREAS, Mr. Boden is a person whose opinions and advice are sought by even those who oppose him - mayors, business people, city staff and supervisors - because of his ability to understand the many dimensions of a complex, political situation; and,

WHEREAS, Paul Boden is a voice of practicality that has been a symbolic face of homeless advocacy for over 20 years; and,

WHEREAS, Mr. Boden has never given up fighting in a passionate, uncompromising, selfless and unique manner for the rights of the poorest, most disenfranchised and vulnerable members of our society-and never will; and,

WHEREAS, Paul Boden will leave COH on January 15th, 2005 to focus on improving homeless policies at the federal level; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby declares January 15th, 2005 as "Paul Boden Day " in the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B Goodlett Place
San Francisco, CA 94102-4689

File Number: 050027 **Date Passed:**

Resolution proclaiming January 15, 2005 as Paul Boden Day.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050027

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

[illegible] 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050030 RESOLUTION NO. 48-05

[Lee Mallory Day.]

Resolution proclaiming January 10, 2005 as Lee Mallory Day in San Francisco.

WHEREAS, Lee Mallory, a songwriter, recording artist, founding member of The Millennium and other bands, contributed to originating the California Sound of the 1960s that continues to draw talent to this state and this city from all over the map; and

WHEREAS, Lee Mallory entertained countless visitors to San Francisco in his years performing at the Cannery; and

WHEREAS, Lee Mallory has long been a beloved performer citywide at "open mics" in North Beach, the Sunset District, South of Market and lately at San Francisco State University; and

WHEREAS, Lee Mallory has survived addiction, liver disease and cancer; and is in the process of becoming eligible for a liver transplant at UCSF; and

WHEREAS, Lee Mallory recently completed San Francisco General Hospital's non-smoking class and has earned a certificate of achievement from the San Francisco Department of Public Health Tobacco Free Project Stop Smoking Program; and

WHEREAS, Lee Mallory is contributing to the overall health of his community because he has inspired numerous young singers to stop smoking in his wake; and

WHEREAS, Despite all odds, Lee Mallory celebrates his sixtieth birthday and seven weeks as a non-smoker with a feature performance at Hotel Utah's legendary "open mic" on Monday, January 10, 2005 at 10pm; now, therefore be it

RESOLVED, That the San Francisco Board of Supervisors hereby proclaims January 10, 2005, Lee Mallory Day in San Francisco.

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Resolution

City Hall
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File Number: 050030 **Date Passed:**

Resolution proclaiming January 10, 2005 as Lee Mallory Day in San Francisco.

—

January 11, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050030

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050048 RESOLUTION NO. 49-05

[Resolution commending Raymond Zahnd.]

Resolution commending Raymond D. Zahnd upon his retirement.

WHEREAS, Raymond D. Zahnd is retiring from the City and County of San Francisco after thirty-five years of distinguished service at the Department of Public Works (DPW); and

WHEREAS, Ray Zahnd has diligently and capably served Mayoral administrations, from Mayor Joseph Alioto to Mayor Gavin Newsom; and

WHEREAS, Ray Zahnd has contributed to city projects at all levels, from his first Junior Draftsman position, to his recent position as Superintendent of DPW's Bureau of Street Environmental Services; and

WHEREAS, Ray Zahnd, in his work as Operations Bureau Superintendent served as our City's "Litter Czar" or Commanding General in the fight to keep San Francisco clean and green, displaying superior leadership ability and personal dedication to the 24/7 work to clean our City's streets; and

WHEREAS, Ray dedicated countless Saturdays to Community Clean ups and other neighborhood initiatives that raised awareness on the importance of taking personal responsibility for making our City cleaner and greener; and

WHEREAS, the DPW Family depended on Ray because of his creative problem-solving abilities, fairness and kindness; now, therefore, be it

RESOLVED, That the Board of Supervisors recognizes and congratulates Mr. Zahnd for his outstanding career as an exemplary civil servant, and wish him great happiness and success in all his future endeavors.

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050048 **Date Passed:**

Resolution commending Raymond D. Zahnd upon his retirement.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050048

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

1 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050049 RESOLUTION NO. 50-05

[Resolution commending Sally Kipper.]

Resolution honoring and congratulating Sally Kipper for her distinguished public service career.

WHEREAS, for the past 16 years, Sally Kipper, Deputy Director of Administration for the Human Services Agency, has provided outstanding service to the people of the City and County of San Francisco; and

WHEREAS, Sally Kipper's accomplished career in public service includes positions as a Legislative Aide and District Office Director for former Assemblyman Louis J. Papan; as staff to the Assembly Ways and Means Committee for Social Services; as a Budget Analyst in Mayor Art Agnos' Office; and, as Director of Budget and Fiscal Operations, and later as Deputy Director of Administration with the Human Services Agency; and

WHEREAS, Sally Kipper's leadership and vision has created systemic change throughout the Human Services Agency, including supporting the first strategic planning process; embracing the ever-changing information technologies systems, increasing the efficiency of staff and procedures to improve service to the Human Services Agency customers; and streamlining personnel and contracts divisions to create consistent procedures and policies, resulting in vastly improved services to staff and to the public; and

WHEREAS, Sally Kipper is highly respected by her peers, co-workers, and employees, as well as colleagues in throughout the City and State for her integrity, professionalism and dedication; now, therefore be it

RESOLVED, that the San Francisco Board of Supervisors is pleased to honor and congratulate Sally Kipper for her distinguished public service career and wish her happiness

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and good fortune as she retires from the City and County of San Francisco on January 14, 2005.

City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050049 **Date Passed:**

Resolution honoring and congratulating Sally Kipper for her distinguished public service career.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050049

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

JAN 21 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050029 RESOLUTION NO. 57-05

[Urging independent review of Professor Ignacio Chapela's tenure hearing]

Resolution urging review of University of California at Berkeley's procedures in denying the tenure of Professor Ignacio Chapela in light of his exposure of illegal dumping of GMO crops in Mexico by Monsanto Corporation.

WHEREAS, It is the role of the University to promote critical thinking and the pursuit of truth and excellence in the face of undue influence, internal politics and economic pressure from pharmaceutical and biotechnological corporations; and

WHEREAS, We live in a society where our public University's are increasingly forced to rely on outside funding in order to survive, thereby making them beholden to private and corporate interests in order to get funding; and

WHEREAS, In the case of Professor Ignacio Chapela there are significant and substantiated allegations, requiring further investigation, that the exposure of illegal dumping of GMO crops in Mexico by Professor Chapela as well as Professor Chapela's criticisms of corporate influence, affected the outcome of his tenure hearing and led to his dismissal from the University; and

WHEREAS, Professor Chapela's tenure was supported and voted on overwhelmingly by thirty-two out of thirty-three of his colleagues and fellow faculty members, and

WHEREAS, Professor Chapela's tenure was further recommended on multiple occasions by the dean of his department and the dean of the College of Natural Resources; and

WHEREAS, University Chancellor Robert Berdahl ignored these recommendations and denied Professor Chapela's tenure based on a negative vote from the budget committee, and

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WHEREAS, The University had previously accepted 25 million dollars from biotech giant Syngenta which had been criticized by Professor Chapela; and

WHEREAS, The current allegations of outside influence and politics send a chilling message to all those scientists and professors who would exercise their free speech and critical assessment regarding the extreme dangers involved in technological manipulation of nature and its negative consequences; and

WHEREAS, The role of undue influence on the University in the area of environmental protection, biotechnology policy and the need to protect social critics was at the center of the California Legislature Hearings held in Sacramento on May 12, 2000; now, therefore be it

RESOLVED, The San Francisco Board of Supervisors urges the new Chancellor, Chancellor Birgeneau, to review the determination of tenure in the case of Professor Chapela with utmost urgency; and

FURTHER, That Chancellor Birgeneau investigate the politics and influences that led to the previous determination and make his findings public as soon as possible.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050029 **Date Passed:**

Resolution urging review of University of California at Berkeley's procedures in denying the tenure of Professor Ignacio Chapela in light of his exposure of illegal dumping of GMO crops in Mexico by Monsanto Corporation.

—

January 11, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050029

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

January 21, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

FILE NO. 041694 RESOLUTION NO. 52-05

[Urging a new trial for Mumia Abu-Jamal]

Resolution urging a new trial for Mumia Abu-Jamal.

WHEREAS, Mumia Abu-Jamal, an award winning African American journalist, author of nine books and internationally known social critic and opponent of the death penalty, has been on Pennsylvania's death row for the past 22 years; and

WHEREAS, Amensty International has pointed to serious flaws in the conduct of his 1982 trial that raise critical constitutional issues that demand a new trial for Mr. Jamal; and,

WHEREAS, Amnesty International has raised issues around the suppression of critical evidence pointing to Mr. Jamal's innocence, the illegal exclusion of African American jurors, the denial of the right to self-representation and the intimidation of witnesses; and

WHEREAS, Prominent organizations including the California Labor Federation, the AFL-CIO, the Episcopal Church of the United States, the National Association for the Advancement of Colored People, the European Parliament, the San Francisco Labor Council, the Detroit City Council, the National Lawyers Guild, the ILWU, AFSCME and SEIU national unions have called for a new trial for Mr. Jamal; and,

WHEREAS, San Francisco's former Mayor Willie Brown declared August 16, 1997 as "Justice for Mumia Abu-Jamal Day in San Francisco."; therefore be it

RESOLVED, That the San Francisco Board of Supervisors affirms its support for justice and a new trial for Mumia Abu-Jamal; and

FURTHER RESOLVED, That this resolution be communicated to the Governor's Office of the State of Pennsylvania.

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Resolution

File Number: 041694 **Date Passed:**

Resolution urging a new trial for Mumia Abu-Jamal.

—

January 11, 2005 Board of Supervisors — ADOPTED
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 2 - Elsbernd, Ma

File No. 041694

I hereby certify that the foregoing Resolution was ADOPTED on January 11, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

January 21, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File 041694

FILE NO. 041149 RESOLUTION NO. 53-05

Resolution setting aside the current death toll of 478 victims of the 1906 earthquake and amending that number no later than April 18, 2006.

WHEREAS, On April 18, 1906, the great earthquake, one of the biggest disasters in American history, shook San Francisco; and

WHEREAS, In 1907, the San Francisco Board of Supervisors established a death toll for the earthquake and subsequent fire at 478, which has stood as the official toll for nearly a century; and,

WHEREAS, The number of deaths has been disputed by historians since they have discovered that few if any of the dead in Chinatown were counted and none of the victims who were shot by authorities as suspected looters, a figure that will run in the hundreds, has been counted; and,

WHEREAS, Gladys Hansen, the founder of the City Archives at the Public Library, has begun to count the dead and she has tallied more than 3,400 fatalities; and,

WHEREAS, Establishing an accurate death toll will properly memorialize those who perished and reflect the magnitude of the catastrophe; now, therefore, be it

RESOLVED, That the Board of Supervisors set aside the death toll of 478; and, be it

FURTHER RESOLVED, That interested members of the public use the resources of the San Francisco History Center of the Public Library, as well as other local history repositories, to establish a certified death count, with the names of all the victims; and, be it

FURTHER RESOLVED, That the certified death count and list of names be presented to the Board of Supervisors for a vote on amending the toll, when the work is completed, in any event, no later than 30 days before the Centennial of the great earthquake on April 18, 2006.

Supervisors Alioto-Pier, Elsbernd, Ma, Dufty, Mirkarimi

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041149 **Date Passed:**

Resolution setting aside the current death toll of 478 victims of the 1906 earthquake and amending that number no later than April 18, 2006.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041149

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

As Amended in Board 10/26/04
Amendment of the whole
In committee. 10/18/04

FILE NO. 041385 RESOLUTION NO. 54-05

[Street Encroachment at 199 Geary Street / Security Pacific Place.]

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.

WHEREAS, pursuant to Public Works Code Section 786, permission was requested by Neiman Marcus store to occupy a portion of the public right-of-way on Security Pacific Place to construct and maintain a service ramp/driveway to access and connect to a loading dock at the rear of the store, as shown on the plans, a copy of which is on file in the office of the Clerk of the Board of Supervisors in File No. 041385; and

WHEREAS, The Department of City Planning, by letter dated July 16, 2004, declared that the proposed encroachments are in conformity with the General Plan and with the priority policies of Planning Code Section 101.1. A copy of said letter is on file with the Clerk of the Board of Supervisors in File No. 041385, and is incorporated herein by reference; and

WHEREAS, At a duly noticed public hearing on September 1, 2004, the Department of Public Works recommended approval of the proposed encroachment; and

WHEREAS, The permit and associated encroachment agreement, which are incorporated herein by reference and attached hereto as Exhibit A, shall not become effective until:

(a) The Permittee executes and acknowledges the permit and delivers said permit to the City's Controller, and

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(b) Permittee delivers to the City Controller a policy of insurance provided for in said agreement and the Controller shall have had approved the same as complying with the requirement of said agreement. The Controller may, in his discretion, accept, in lieu of said insurance policy, the certificate of an insurance company certifying to the existence of such a policy; and,

(c) The City Controller records the permit and associated agreement in the office of the County Recorder; and

WHEREAS, The Permittee, at the Permittee's sole expense and as is necessary as a result of this permit, shall make the following arrangements:

(a) To provide for the support and protection of facilities belonging to the Department of Public Works, San Francisco Water Department, the San Francisco Fire Department and other City Departments, and public utility companies; and

(b) To remove or relocate such facilities and provide access to such facilities for the purpose of constructing, reconstructing, maintaining, operating, or repairing such facilities; and

WHEREAS, The Permittee shall procure the necessary permits from the Central Permit Bureau, Department of Building Inspection and/or Bureau of Street-Use and Mapping, Department of Public Works, and pay the necessary permit fees and inspection fees before starting work; and

WHEREAS, The Permitee shall pay a rental fee in the amount of $1,000 (one thousand dollars) per anum, which fee shall be adjusted by the Consumer Price Index bi-annually but in no ~~even~~ event shall be less than $1,000 (one thousand dollars); and

WHEREAS, The Board of Supervisors reserves the right to adjust ~~exact~~ a permit fee or rental for the use of said street area; and

WHEREAS, No structure shall be erected or constructed within said street right-of-way except as specifically permitted herein; and,

WHEREAS, The Permittee shall assume all costs for the maintenance and repair of the encroachments and no cost or obligation of any kind shall accrue to the City and County of San Francisco by reason of this permission granted; now, therefore be it

RESOLVED, That pursuant to Public Works Code Section 786, the Board of Supervisors hereby grants permission, revocable at the will of the Director of the Department of Public Works, to Neiman Marcus store to occupy a portion of the public right-of-way located on Security Pacific Place, a the adjacent Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018); and, be it

FURTHER RESOLVED, that this Board adopts the findings of the Planning Department which determined that said permit is consistent with the priority policies of Planning Code Section 101.1.

RECOMMENDED:	APPROVED:
See file for signature	See file for signature
_____	_____
Robert Beck	Edwin M. Lee
Deputy Director	Director of Public Works
for Engineering	

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041385 **Date Passed:**

Resolution granting revocable permission to CHH Realty, Inc. c/o Neiman Marcus to occupy a portion of the public right-of-way located on Security Pacific Place, off O'Farrell Street between Stockton Street and Grant Avenue, to construct and maintain a service ramp/driveway, to access and connect to a loading dock at the rear frontage of the Neiman Marcus store at 199 Geary Street (Block 0313, Lot 018) and making findings of consistency with the priority policies of Planning Code Section 101.1.

—

October 26, 2004 Board of Supervisors — AMENDED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

October 26, 2004 Board of Supervisors — CONTINUED AS AMENDED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

November 2, 2004 Board of Supervisors — CONTINUED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

November 16, 2004 Board of Supervisors — CONTINUED
Ayes: 9 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Maxwell, Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

December 7, 2004 Board of Supervisors — CONTINUED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041385

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041481 RESOLUTION NO. 55-05

[STOP sign – Filbert Street Westbound at Powell Street.]

Resolution designating the intersection of Filbert Street at Powell Street as a "STOP" intersection.

RESOLVED, That pursuant to the provisions of the California Vehicle Code, the following intersection is hereby designated as a one way "STOP" intersection, and the Department of Parking and Traffic is hereby authorized and directed to cause a "STOP" sign to be installed there as designated below;

STOP SIGN – ESTABLISH

Filbert Street, stopping westbound Filbert at Powell St.

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041481 **Date Passed:**

Resolution designating the intersection of Filbert Street at Powell Street as a "STOP" intersection.

—

October 26, 2004 Board of Supervisors — REFERRED: Land Use Committee

November 2, 2004 Board of Supervisors — REFERRED

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041481

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041556 RESOLUTION NO. 56-05

[Parking Regulations - Fitzgerald Avenue.]

Resolution enacting and rescinding parking regulations on the 1200 block of Fitzgerald Avenue.

RESOLVED, That in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the parking of vehicles are hereby rescinded as designated below:

PERPENDICULAR (90-DEGREE ANGLE) PARKING – RESCIND

Fitzgerald Avenue, north side, from Jennings Street to Ingalls Street.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish at higher speed limit or result in more than a negligible increase in the use of the street.

(See File for signature)

Supervisor Maxwell
BOARD OF SUPERVISORS

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041556 **Date Passed:**

Resolution enacting and rescinding parking regulations on the 1200 block of Fitzgerald Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - RESCIND
Fitzgerald Avenue, north side, from Jennings Street to Ingalls Street.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041556

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

As amended in committee
January 12, 2005.

FILE NO. 041564 RESOLUTION NO. 57-05

[Approval of Lease with American Airlines, Inc. for a portion of Plot 40 and Superbay Hangar.]

Resolution, retroactive to January 1, 2005, approving and authorizing the execution of a Lease with American Airlines, Inc., for a portion of Plot 40 and space in the Superbay Hangar.

WHEREAS, American Airlines, Inc., ("American") currently conducts aircraft and ground service equipment maintenance and related activities at the Superbay Hangar on the Airport's Plot 40, pursuant to holdover of Lease No. L-94-0199, having a ten-year term that expired June 30, 2004; and

WHEREAS, American wishes to enter into a new lease to continue its maintenance and related activities at this facility; and

WHEREAS, Airport staff and American have negotiated a five-year lease with one five-year option for Superbay Hangar and appurtenant space at Plot 40, for aircraft and ground service equipment maintenance and support uses and for employee parking (the "Lease"); and

WHEREAS, On November 2, 2004, pursuant to Resolution No. 04-0221, the Airport Commission approved the Lease. A copy of the form of the Lease is on file with the Clerk of the Board of Supervisors in File No. 041564, which is hereby declared to be a part of this resolution as if set forth fully herein; now, therefore, be it

RESOLVED, That this Board of Supervisors, retroactive to January 1, 2005, hereby approves and authorizes the execution of the five-year Lease with one five-year option for hangar and appurtenant space on Plot 40 of the Airport, between American Airlines, Inc. and the City and County of San Francisco, acting by and through its Airport Commission.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041564 **Date Passed:**

Resolution, retroactive to January 1, 2005, approving and authorizing the execution of a Lease with American Airlines, Inc., for a portion of Plot 40 and space in the Superbay Hangar.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041564

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041631 RESOLUTION NO. 58-05

STOP Intersections.]

Resolution designating certain intersections as "STOP" intersections.

RESOLVED, That, pursuant to the provisions of the California Vehicle Code, the following intersections are hereby designated as "STOP" intersections, and the Department of Parking and Traffic is hereby authorized and directed to cause "STOP" signs to be installed thereat as designated below:

STOP SIGNS - ESTABLISH

Walnut Street and Pacific Avenue, stopping northbound Walnut Street at Pacific Avenue, making this T-intersection an All-Way STOP; and

30th Avenue and Lake Street, making this intersection an All-Way STOP.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 11/29/04

Gerald Robbins Date

Department of Parking and Traffic

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041631 **Date Passed:**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Walnut Street and Pacific Avenue, stopping northbound Walnut Street at Pacific Avenue, making this T-intersection an All-Way STOP; and

30th Avenue and Lake Street, making this intersection an All-Way STOP.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041631

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041632 RESOLUTION NO. 59-05

[Traffic Regulations.]

Resolution enacting and rescinding traffic regulations on various streets.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the movement of vehicles are hereby enacted or rescinded as designated below:

TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH

Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

ONE-WAY STREET - ESTABLISH

Vandewater Street, westbound, between Mason and Powell Streets.

BICYCLE LANES – ESTABLISH

Fell Street, from Scott Street to Baker Street.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 11-29-04

Gerald Robbins Date
Department of Parking and Traffic

Supervisor Mirkarimi

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City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041632 **Date Passed:**

Resolution enacting and rescinding traffic regulations on various streets.

TOW-AWAY LANE MUST TURN RIGHT, EXCEPT MUNI - ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

ONE-WAY STREET - ESTABLISH
Vandewater Street, westbound, between Mason and Powell Streets.

BICYCLE LANES – ESTABLISH
Fell Street, from Scott Street to Baker Street.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041632

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Kuhlenger
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

Amended in Committee 1/10/05

FILE NO. 041633 RESOLUTION NO. 60-05

[Parking Regulations.]

Resolution enacting and rescinding parking regulations at various locations.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the parking of vehicles are hereby enacted or rescinded as designated below:

TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM - ESTABLISH

Florida Street terminus, north of 15th Street.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH

Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH

15th Street, north side, from Florida to Bryant Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING ESTABLISH

Florida Street terminus, north of 15th Street;

Van Dyke Avenue, north side, between Keith and Jennings Streets; and

Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – RESCIND

Lincoln Way, south side, from 20th Avenue to a point approximately 100 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH

Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

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TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Rousseau Street, east side, from San Jose Avenue to 55 feet southerly; and

Rousseau Street, west side, from San Jose Avenue to Bosworth Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH

Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles while addressing sight distance concerns at the intersection); and

Page Street, north side, between the driveways of 940 and 932 - 936 Page Street, accommodating two unmetered motorcycle parking spaces.

TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH

McAllister Street, north side, from Gough Street to 60 feet easterly

~~**NO PARKING ANYTIME - ESTABLISH**~~

~~Mansell Street, median noses, east and west sides, at Girard, Brussels, Goettingen, Somerset, Hamilton and Bowdoin Streets.~~

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Bryant Street, both sides, between 15th and 16th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH

Gennessee Street, west side, from Monterey Boulevard to 19 feet southerly.

1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THORUGH SATURDAY - RESCIND
2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THORUGH SATURDAY - ESTABLISH

20th Street, both sides, between Capp and Valencia Streets (parking meters to remain).

TOW-AWAY, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND

Fell Street, south side, from Laguna Street to Scott Street.

TOW-AWAY, MONDAY-FRIDAY, 4 PM-7 PM - ESTABLISH

Fell Street, south side, from Divisadero Street to 125 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Church Street, both sides, between 25th and Jersey Streets (1200 block);

Duncan Street, both sides, between Sanchez Street and Noe Street (400 block); and

Sanchez Street, both sides, between 28th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Baker Street, both sides, between Geary Boulevard and Post Street (1300 block).

~~**RESIDENTIAL PERMIT PARKING AREA "S" (4-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH**~~

~~Hill Street, both sides, between Noe and Sanchez Streets (400 block).~~

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH

Bay Street, south side, between Mason and Taylor Streets.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH

Mason Street, west side, from Bay Street to 65 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH

Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block); and

Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block).

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 11-29-04

Gerald Robbins Date
Department of Parking and Traffic

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041633 **Date Passed:**

Resolution enacting and rescinding parking regulations at various locations.

TOW-AWAY, NO PARKING FROM 10 PM TO 6 AM - ESTABLISH
Florida Street terminus, north of 15th Street.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Florida Street, west side of the easterly divided roadway, from 210 feet south of 15th Street, northerly to a point 18 feet south of the roadway terminus.

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
15th Street, north side, from Florida to Bryant Streets.

PERPENDICULAR (90-DEGREE ANGLE) PARKING ESTABLISH
Florida Street terminus, north of 15th Street;

Van Dyke Avenue, north side, between Keith and Jennings Streets; and

Divisadero Street, both sides, from 240 feet north of 14th Street to 240 feet south of Duboce Avenue.

TOW-AWAY, NO STOPPING, 7 AM TO 9 AM, MONDAY THROUGH FRIDAY – RESCIND
Lincoln Way, south side, from 20th Avenue to a point approximately 100 feet easterly.

TOW-AWAY, NO STOPPING ANYTIME – ESTABLISH
Lincoln Way, south side, from 19th Avenue to a point 100 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Rousseau Street, east side, from San Jose Avenue to 55 feet southerly; and

Rousseau Street, west side, from San Jose Avenue to Bosworth Street.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Carl Street, north side, from 13 feet to 27 feet east of Willard Street (accommodating 4 motorcycles while addressing sight distance concerns at the intersection); and

Page Street, north side, between the driveways of 940 and 932 - 936 Page Street, accommodating two unmetered motorcycle parking spaces.

TOW-AWAY, NO STOPPING, 7 AM - 7 PM, EVERYDAY - RESCIND
TOW-AWAY, NO STOPPING, 3 PM - 7 PM, MONDAY THROUGH FRIDAY - ESTABLISH
McAllister Street, north side, from Gough Street to 60 feet easterly

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bryant Street, both sides, between 15th and 16th Streets.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Gennessee Street, west side, from Monterey Boulevard to 19 feet southerly.

1-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - RESCIND
2-HOUR TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY - ESTABLISH
20th Street, both sides, between Capp and Valencia Streets (parking meters to remain).

TOW-AWAY, MONDAY THROUGH FRIDAY, 4 PM TO 6 PM - RESCIND
Fell Street, south side, from Laguna Street to Scott Street.

TOW-AWAY, MONDAY-FRIDAY, 4 PM-7 PM - ESTABLISH
Fell Street, south side, from Divisadero Street to 125 feet easterly.

RESIDENTIAL PERMIT PARKING AREA "I" (2-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Capp Street, both sides, between 17th and 18th Streets (200 block) (excludes the thru-lot of 2155 Mission Street).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Church Street, both sides, between 25th and Jersey Streets (1200 block);
Duncan Street, both sides, between Sanchez Street and Noe Street (400 block); and
Sanchez Street, both sides, between 28th and Duncan Streets (1400 block).

RESIDENTIAL PERMIT PARKING AREA "G" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Baker Street, both sides, between Geary Boulevard and Post Street (1300 block).

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METER AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) – ESTABLISH
Bay Street, south side, between Mason and Taylor Streets.

RESIDENTIAL PERMIT PARKING AREA "A" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH SATURDAY) - RESCIND
PARKING METERS, AREA NO. 4 (1-HOUR PARKING TIME LIMIT, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Mason Street, west side, from Bay Street to 65 feet southerly.

RESIDENTIAL PERMIT PARKING AREA "H" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Ocean Avenue, north side, between 21st and 22nd Avenues (2900 block); and
Ocean Avenue, both sides, between 20th and 21st Avenues (2800 block).

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041633

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041640 RESOLUTION NO. 61-05

[Proposition J Certification, Status Offender Shelter and Intake Services]

Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.

WHEREAS, The electorate of the City and County of San Francisco passed Proposition "J" in November 1976, adding Section 8.300-1 to the Charter allowing City departments to contract with private companies for specific services which can be practically performed for a lower cost than similar work by City and County employees; and

WHEREAS, The 1996 Charter continued the authority under Section 10.104(15); and

WHEREAS, The Controller has certified on November 18, 2004 that shelter and Intake Services for Status Offenders for the San Francisco Juvenile Probation Department can practically be performed by private contractor at a lower cost than if the work were performed by City and County employees at budgeted levels; now therefore, be it

RESOLVED, that this Board Of Supervisors hereby concurs with the Controller's certification and declares its intention to enter into a contract for fiscal year 2004-2005 with Huckleberry Youth Programs, Inc., for shelter and intake services for status offenders.

Department Head

Juvenile Probation Department

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041640 **Date Passed:**

Resolution concurring with the Controller's certification that Intake and Shelter Services to Status Offenders can be practically performed by a private contractor for a lower cost than similar services performed by city and county employees.

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041640

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Lullington

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041661 RESOLUTION NO. 62-05

[Liquor License, 130 Church Street]

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 130 Sixth Street to 130 Church Street (District 8) to Panaka, Vannida and Watthika Chea for Golden Produce Extension will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

WHEREAS, Panaka, Vannida and Watthika Chea are seeking transfer of a Type 20 off-sale beer and wine alcoholic beverage control license for Golden Produce Extension, located at 130 Church Street; and,

WHEREAS, The City Planning Department has verified that the area is properly zoned; and,

WHEREAS, The Police Department recommends that the liquor license application be approved with conditions; now, therefore, be it

RESOLVED, That in accordance with Section 23958.4 of the California Business and Professions Code, the Board of Supervisors of the City and County of San Francisco hereby determines for the foregoing reasons that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 1301 Sixth Street to 130 Church Street (District 8) for Panaka, Vannida and Watthika Chea for Golden Produce Extension, will serve the public convenience and necessity of the people of the City and County of San Francisco.

Conditions: (1) Sales and service of alcoholic beverages shall be permitted only between the hours of 9:00 a.m. and 9:00 p.m. each day of the week; (2) The petitioner

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shall be responsible for maintaining free of litter the area in front of and adjacent to the premises over which they have control; (3) No wine shall be sold with an alcoholic content greater than 15% by volume; (4) Wine shall not be sold in bottles or containers smaller than 750 ml. and wine coolers shall not be sold in units of less than a four pack; (5) No person under the age of 21 shall sell or package alcoholic beverages; (6) Beer, malt beverages, and wine coolers in containers of 16 oz. or less cannot be sold by single containers, but must be sold in manufacturer pre-packaged multi-unit quantities; (7) The portion of the sales floor devoted to alcohol sales shall not be more than 5% of the overall sales floor area.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041661 **Date Passed:**

Resolution determining that the transfer of a Type 20 off-sale beer and wine alcoholic beverage control license from 130 Sixth Street to 130 Church Street (District 8) to Panaka, Vannida and Watthika Chea for Golden Product Extension will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041661

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Lultergas
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041662 RESOLUTION NO. 63-05

[Settlement Of Claim]

Resolution approving the settlement of the unlitigated claim filed by Third Street Lofts against San Francisco for $100,000; claim was filed on March 11, 2003.

WHEREAS, Third Street Lofts has filed a claim on March 11, 2003 against the City and County of San Francisco for property damages; and

WHEREAS, The Public Utilities Commission of the City and County of San Francisco has recommended settlement of said claim by payment of $100,000.

RESOLVED, That pursuant to Section 10.22 of the San Francisco Administrative Code, settlement and compromise of said claim by payment of $100,000 is hereby approved.

APPROVED AS TO FORM AND RECOMMENDED:

DENNIS J. HERRERA
City Attorney

JOANNE HOEPER
Chief Trial Deputy

FUNDS AVAILABLE:

EDWARD HARRINGTON
Controller

I/O: CWP110PU2AAA
SubObject: 05311

RECOMMENDED:

PUBLIC UTILITIES COMMISSION

SUSAN LEAL
General Manager

Commission Secretary

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041662 **Date Passed:**

Resolution approving the settlement of the unlitigated claim filed by Third Street Lofts against San Francisco for $100,000; claim was filed on March 11, 2003.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041662

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Lukenzy
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041673 RESOLUTION NO. 64-05

[Appointment - Urban Forestry Council]

Resolution appointing Kelly Quirke and Jocelyn Cohen, terms ending April 5, 2005 to the Urban Forestry Council.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated persons to serve as members of the Urban Forestry Council, pursuant to the provisions of the San Francisco Administrative Code, Chapter 5, Article XXIII, for the term specified:

Kelly Quirke, succeeding Milton Marks III, resigned, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for the unexpired portion of a two-year term ending April 5, 2005.

Jocelyn Cohen, succeeding Juan Carrasco, resigned, seat 7, must be representative of the community, for the unexpired portion of a two-year term ending April 5, 2005.

Rules Committee

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041673 **Date Passed:**

Resolution appointing Kelly Quirke and Jocelyn Cohen, terms ending April 5, 2005, to the Urban Forestry Council.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041673

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041684 RESOLUTION NO. 65-05

[Traffic Regulations.]

Resolution enacting and rescinding traffic regulations on various streets.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the movement of vehicles are hereby enacted as designated below:

NO PARKING ANYTIME – RESCIND

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street.

TOW-AWAY NO PARKING ANYTIME - ESTABLISH

West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or results in more than a negligible increase in the use of the street.

Gerald Robbins 12-7-04

Gerald Robbins Date
Department of Parking and Traffic

Supervisor Bevan Dufty
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041684 **Date Passed:**

Resolution enacting and rescinding traffic regulations on various streets.

NO PARKING ANYTIME – RESCIND
West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street

.

TOW-AWAY NO PARKING ANYTIME - ESTABLISH
West side of Potomac Street, from Waller Street to the southern property line of #53 Potomac Street.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041684

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041719 RESOLUTION NO. 66-05

[BART Payment for MUNI Transfer Trips.]

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2004-2005.

WHEREAS, The MTA's annual budget included payment from BART estimated at $2,351,738 for FY 2004-2005; and,

WHEREAS, This payment is based on an agreement between the City and BART to compensate the MTA for the connecting bus service MUNI provides to BART stations in San Francisco and the corresponding increase in BART patronage and revenues; and,

WHEREAS, BART pays MUNI a base amount which is adjusted each year by the percentage change in BART sales tax revenues over the prior two years; and,

WHEREAS, Based on BART's actual sales tax revenues in the prior two years, the amount due to MUNI for FY 2004-2005 is $2,444,526; and,

WHEREAS, On February 27, 2004, the MTA Board of Directors adopted Resolution No. 04-030 authorizing the Director of Transportation to execute the "Transfer Payment Agreement" with BART, on file with the Clerk of the Board of Supervisors in File No. 041719, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, The Board of Supervisors has reviewed the proposed agreement between the City and BART on file with the Clerk of the Board of Supervisors in File No. 041719, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

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WHEREAS, The Board of Supervisors approves BART's payment to the MTA to compensate MUNI for providing feeder bus transit service to BART stations; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby authorizes the Director of Transportation to execute the attached Agreement with BART authorizing the FY 2004-2005 payment from BART to the MTA.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041719 **Date Passed:**

Resolution approving an Agreement between the City and County of San Francisco (the "City") and the Bay Area Rapid Transit District ("BART") authorizing payment to the Municipal Transportation Agency ("MTA") for transfer trips provided by the Municipal Railway in FY 2004-2005.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 041719

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041727 RESOLUTION NO. 67-05

[Accept and Expend Grant – Sheriff's Department program providing family literacy services for incarcerated mothers and their children in the county jail and after their release.]

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the Zellerbach Family Foundation for providing family literacy services to mothers incarcerated in the county jail and their children.

WHEREAS, The Zellerbach Family Foundation has made available funding for family literacy programs; and,

WHEREAS, Due to the need for improved literacy and strengthened family bonds among incarcerated mothers and their children, the Sheriff's Department will provide a program to support family literacy development for incarcerated mothers and their children; and,

WHEREAS, The grant does not require matching funds; and,

WHEREAS, The Sheriff's Department proposes to maximize use of available grant funds on program expenditures by not including indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That a grant award notification has been received from the Zellerbach Family Foundation; and, be it

FURTHER RESOLVED, That the Board of Supervisors of the City and County of San Francisco authorizes the Sheriff's Department to accept and expend $30,000 in grant funds from the Zellerbach Family Foundation; and be it

FURTHER RESOLVED, That the City and County of San Francisco will adhere to the requirements of the Zellerbach Family Foundation and all conditions specified in the grant agreement.

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Recommended:

Department Head

Approved:
Mayor

Approved:
Controller

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041727 **Date Passed:**

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $30,000 from the Zellerbach Family Foundation for providing family literacy services to mothers incarcerated in the county jail and their children.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Absent: 1 - Ammiano

File No. 041727

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041728 RESOLUTION NO. 68-05

STOP Intersections.]

Resolution designating certain intersections as "STOP" intersections.

RESOLVED, That, pursuant to the provisions of the California Vehicle Code, the following intersections are hereby designated as "STOP" intersections, and the Department of Parking and Traffic is hereby authorized and directed to cause "STOP" signs to be installed thereat as designated below:

STOP SIGNS – ESTABLISH

18th and Tennessee Streets, stopping 18th Street at Tennessee Street, making this intersection an All-Way STOP; and

Colin P. Kelly, Jr. Street and Brannan Street, stopping Colin P. Kelly, Jr. Street at Brannan Street, the stem of this T-intersection.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 12-15-04

Gerald Robbins Date
Department of Parking and Traffic

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041728 **Date Passed:**

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
18th and Tennessee Streets, stopping 18th Street at Tennessee Street, making this intersection an All-Way STOP; and
Colin P. Kelly, Jr. Street and Brannan Street, stopping Colin P. Kelly, Jr. Street at Brannan Street, the stem of this T-intersection.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041728

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041737 RESOLUTION NO. 69-05

[Traffic Regulations.]

Resolution enacting and rescinding traffic regulations on various streets.

RESOLVED, That, in accordance with the provisions of the California Vehicle Code and the San Francisco Traffic Code, the following regulations governing the movement of vehicles are hereby enacted or rescinded as designated below:

RIGHT TURN ONLY AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - ESTABLISH

Southbound Hawes, Ingalls, and Jennings Streets at Ingerson Avenue

NO LEFT TURN, TAXIS EXEMPT, EXCEPT 4 PM TO 7 PM, MONDAY THROUGH FRIDAY – RESCIND
NO LEFT TURN, EXCEPT BUSES AND TAXIS – ESTABLISH

Mission Street, westbound, at 1st, 4th and 10th Streets; and

Mission Street, eastbound, at Fremont, 2nd, 3rd, 5th, 6th and 7th Streets.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.

Gerald Robbins 12-15-04

Gerald Robbins Date
Department of Parking and Traffic

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041737 **Date Passed:**

Resolution enacting and rescinding traffic regulations on various streets.

RIGHT TURN ONLY AFTER BALLPARK EVENTS EXCEPT TAXIS - RESCIND
NO RIGHT TURN AFTER BALLPARK EVENTS EXCEPT TAXIS - ESTABLISH
Southbound Hawes, Ingalls, and Jennings Streets at Ingerson Avenue

NO LEFT TURN, TAXIS EXEMPT, EXCEPT 4 PM TO 7 PM, MONDAY THROUGH FRIDAY – RESCIND
NO LEFT TURN, EXCEPT BUSES AND TAXIS – ESTABLISH
Mission Street, westbound, at 1st, 4th and 10th Streets; and
Mission Street, eastbound, at Fremont, 2nd, 3rd, 5th, 6th and 7th Streets.

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041737

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041765 RESOLUTION NO. 70-05

[Request authorization by the Board to adopt the County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) funds for Fiscal Year 2004-05.]

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2004-2005 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2004-2005.

WHEREAS, Counties shall receive funds under the Tobacco Tax and Health Protection Act of 1998 (tobacco tax funds); and,

WHEREAS, The County is required to adopt a County Description of Proposed Expenditure of California Healthcare for Indigents Program (CHIP) Funds for submission to the State Director of Health Services in order to receive tobacco tax funds; and,

WHEREAS, The County Description of Proposed Expenditure of CHIP Funds for Fiscal Year 2004-2005 proposed by the San Francisco Department of Health is on file with the Board in File 041765; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby approves the County Description of Proposed Expenditure of CHIP Funds for Fiscal Year 2004-2005; and, be it

FURTHER RESOLVED, That the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP Funds for Fiscal Year 2004-2005.

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Recommended:

Mitchell Katz, M.D.
Director of Health

Approved:

Health Commission

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041765 **Date Passed:**

Resolution authorizing adoption of the County Description of Proposed Expenditure of California Healthcare for Indigents (CHIP) funds for Fiscal Year 2004-2005 and that the President or duly authorized representative of the Board of Supervisors of the City and County of San Francisco can certify the County Description of Proposed Expenditure of CHIP funds for the Fiscal Year 2004-2005.

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 041765

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 041773 RESOLUTION NO. 71-05

[Appointment - Golden Gate Bridge, Highway and Transportation District]

Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, terms ending January 31, 2007.

RESOLVED, That pursuant to the provisions of the California Streets and Highways Code, Section 27124, the Board of Supervisors of the City and County of San Francisco retains Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors of the Golden Gate Bridge, Highway and Transportation District, for terms ending January 31, 2007; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors is hereby directed to transmit a certified copy hereof to the Secretary of State of the State of California, to the Executive Director of the Golden Gate Bridge, Highway and Transportation District, and to the California Department of Transportation.

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Rules Committee

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041773 **Date Passed:**

Resolution affirming retention of Supervisors Bevan Dufty, Tom Ammiano, Gerardo Sandoval and Jake McGoldrick, as members of the Board of Directors, Golden Gate Bridge, Highway and Transportation District, for terms ending January 31, 2007.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 7 - Alioto-Pier, Daly, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin
Excused: 4 - Ammiano, Dufty, McGoldrick, Sandoval

File No. 041773

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050041 RESOLUTION NO. 12-05

[Appointment – Surplus Property Citizens' Advisory Committee]

Resolution appointing Jay Bradshaw, term to be determined, to the Surplus Property Citizens' Advisory Committee.

RESOLVED, That the Board of Supervisors of the City and County of San Francisco does hereby appoint the hereinafter designated person to serve as a member of the Surplus Property Citizens' Advisory Committee, pursuant to the provisions of the San Francisco Administrative Code, Section 23.A9, for the term specified:

Jay Bradshaw, new appointment, seat 6, must be member of a union, for a term to be determined.

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City Hall
1 Dr. Carlton B. Goodlett Place
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City and County of San Francisco

Tails

Resolution

File Number: 050041 **Date Passed:**

Resolution appointing Jay Bradshaw, term to be determined, to the Surplus Property Oversight Committee.

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 050041

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050072 RESOLUTION NO. 73-05

[Supporting Gay Adoption]

Resolution urging the Supreme Court of the United States to rescind their refusal and to accept the hearing of a legal challenge to Florida's prohibition of adoption of children by gays and lesbians.

WHEREAS, In 1977, the State of Florida adopted legislation that prohibits gays and lesbians from adopting children in 1977 and is the only state in the United States that prohibits the adoption of children based upon sexual orientation; and

WHEREAS, The state of Florida does not prohibit single heterosexuals of either sex from adopting children; and

WHEREAS, Steve Loften is a licensed foster parent who has taken in eight children with HIV or AIDS and won an outstanding foster parent of the year award and has been in a committed relationship with his partner, Roger Croteau for the past 20 years; ; and

WHEREAS Steve Loften and two other plaintiffs sued the State of Florida in 2000 for the State's prohibition of adoption of children by gay and lesbians; and

WHEREAS, The plaintiffs lost their case in federal court, but filed an appeal just as the Supreme Court, in Lawrence v Texas, invalidated the state's sodomy laws; and

WHEREAS, A three-judge panel of the 11th US Circuit Court of Appeals denied their appeal in January 2003; and

WHEREAS, On January 10, the Supreme Court refused to the challenge to the Florida statue prohibiting the adoption of children by gay people; therefore be it

RESOLVED, that the San Francisco Board Supervisors urges the Supreme Court to rescind their refusal and to accept the hearing of the challenge to Florida's statue prohibiting the adoption of children by gays and lesbians.

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Supervisor Ammiano, Mirkarimi
BOARD OF SUPERVISORS

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050072 **Date Passed:**

Resolution urging the Supreme Court of the United States to rescind their refusal and to accept the hearing of a legal challenge to Florida's prohibition of adoption of children by gays and lesbians.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050072

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 0 4 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050075 RESOLUTION NO. 74-05

[Resolution commending Ray Wong for his career in civil service.]

Resolution commending Ray Wong for his career in civil service.

WHEREAS, Ray Wong has served the City and County of San Francisco for over thirty years, beginning his career in 1972, and

WHEREAS, over the course of his illustrious career, Mr. Wong has filled numerous roles in representing the interests of the San Francisco community, including his work in the Mayor's Office and the Department of Human Resources, and

WHEREAS, Mr. Wong was appointed in 1980 by the United States District Court to administer Police Department programs that fostered recruitment of female and minority officers, exemplifying his dedication and utility, and

WHEREAS, Mr. Wong has acted as a catalyst for positive change, been a valuable role model, and conscientiously carried out all of his duties the service of his community; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby commends Ray Wong for his outstanding contributions and dedicated service to the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050075 **Date Passed:**

Resolution commending Ray Wong for his career in civil service.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050075

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050076 RESOLUTION NO. 75-05

[Volunteer Blood Donor Month]

Resolution declaring January 2005 to be "Volunteer Blood Donor Month" in the City and County of San Francisco.

WHEREAS, 4.5 million Americans would die each year without life saving blood transfusions; and,

WHEREAS, Californians need more than 1.5 million pints of donated blood a year; and,

WHEREAS, In the Bay Area, local patients need 800 pints of blood daily; and,

WHEREAS, One pint of donated blood can save as many as three people's lives; and,

WHEREAS, Approximately sixty (60) percent of the population is eligible to donate blood, but less than five (5) percent do so on a regular basis; and,

WHEREAS, Anyone who is in good health, is at least seventeen (17) years of age and weighs at least one hundred and ten (110) pounds may donate blood every fifty-six (56) days; and,

WHEREAS, Donated blood is needed throughout the year, but hospitals throughout Northern California have started 2005 with a deficit of much-needed blood, particularly those types with negative Rh factors; now, therefore be it,

RESOLVED, That the Board of Supervisors declares January 2005 to be "Volunteer Blood Donor Month" in the City and County of San Francisco; and, be it

FURTHER RESOLVED, That the Board of Supervisors encourages those citizens in good health to donate blood to help save live sand replenish local supplies in this time of need.

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Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050076 **Date Passed:**

Resolution declaring January 2005 to be "Volunteer Blood Donor Month" in the City and County of San Francisco.

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050076

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050077 RESOLUTION NO. 76 - 05

[SFMOMA Building Anniversary.]

Resolution congratulating the San Francisco Museum of Modern Art on the Tenth Anniversary of the Opening of their Mario Botta – designed building.

WHEREAS, In January of 1995, the San Francisco Museum of Modern Art opened a new museum facility, designed by architect Mario Botta, in the burgeoning South of Market district; and,

WHEREAS, Mario Botta is a renowned Swiss architect, famous for works that show respect for topographical conditions and regional sensibilities and emphasize craftsmanship and geometric order; and,

WHEREAS, The San Francisco Museum of Art, devoted solely to 20th-Century art was first opened in 1935; and,

WHEREAS, "Modern" was added to the San Francisco Museum of Art's title in 1975 to more accurately describe the museums collection and focus; and

WHEREAS, January 18, 2005 marks the Tenth Anniversary of the opening of the San Francisco Museum of Modern Art at the facility at 151 Third Street; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors congratulates the San Francisco Museum of Modern Art on the Tenth Anniversary of the Opening of their Mario Botta – designed building.

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Supervisor Ma; Eisbernd
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050077 **Date Passed:**

Resolution congratulating the San Francisco Museum of Modern Art on the Tenth Anniversary of the Opening of their Mario Botta – designed building.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050077

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050078 RESOLUTION NO. 77-05

[Extending the term of the Biosciences Task Force to March 15, 2005.]

Resolution extending the term of the Biosciences Task Force to March 15, 2005.

WHEREAS, By Resolution No. 217-03, the Board of Supervisors created a Biosciences Task Force to develop recommended policies for consideration by the Planning Commission and the Board of Supervisors on land use controls for bioscience industries; and

WHEREAS, The Task Force is performing a valuable service to the City through its examination of issues related to the land use needs of bioscience industries and land use controls appropriate for these industries; and,

WHEREAS, Resolution No. 217-03 provided that the Task Force shall submit its recommendations to the Board of Supervisors and the Planning Commission no later than six months from the date that the appointment of a quorum of the voting members of the Task Force became effective; and,

WHEREAS, The Task Force has requested that an extension of time be granted so that it may complete its study; and,

WHEREAS, It is the desire of the Board to grant this extension of time; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors hereby extends the term of the Biosciences Task Force and all of its appointed members to March 15, 2005; and, be it

FURTHER RESOLVED, That the Task Force shall submit its recommendations to the Board of Supervisors and the Planning Commission no later than February 15, 2005.

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050078 **Date Passed:**

Resolution extending the term of the Biosciences Task Force to March 15, 2005.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050078

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

for Kay Gulbengay
Gloria L. Young
Clerk of the Board

FEB 04 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050124 RESOLUTION NO. 78-05

[Commending United States Senator Barbara Boxer for her leadership during the confirmation process for Secretary of State nominee Dr. Condoleezza Rice.]

Resolution commending United States Senator Barbara Boxer for her leadership during the nomination process for Secretary of State nominee Dr. Condoleezza Rice.

WHEREAS, United States Senator Barbara Boxer, in her role as a member of the Senate Foreign Relations Committee, showed tremendous leadership with her pointed and direct questioning of Dr. Condoleezza Rice, President George W. Bush's Secretary of State nominee; and,

WHEREAS, The United States Government functions through a system of checks and balances, which means that the legislative branch must hold the executive branch and its appointees accountable for the decisions made on behalf of the American people, particularly in times of war and fiscal crisis; and,

WHEREAS, Senator Boxer diligently questioned Dr. Rice about poor decisions and inadequate preparations made by the Bush Administration before the war in Iraq and during the violent occupation that followed; and,

WHERAS, Senator Boxer raised fundamental questions about the ability of the Bush Administration and Dr. Rice to be truthful with the American people about the war in Iraq; now, therefore, be it

RESOLVED, That the City and County of San Francisco hereby commends United States Senator Barbara Boxer for her leadership during the confirmation process for Secretary of State nominee Dr. Condoleezza Rice.

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050124 **Date Passed:**

Resolution commending United States Senator Barbara Boxer for her leadership during the nomination process for Secretary of State nominee Dr. Condoleezza Rice.

—

January 25, 2005 Board of Supervisors — ADOPTED

File No. 050124

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for Gloria L. Young
Clerk of the Board

February 04, 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 050073 RESOLUTION NO. 79-05

[Request City Attorney's Office to Research Statutes Pertaining to Homeless Death Count]

Resolution urging the City Attorney to explore feasible means to access death records.

WHEREAS, Since 1987 the San Francisco homeless advocacy and faith community have kept count of the individuals who died homeless in San Francisco each year; and,

WHEREAS, The availability of the names of our sisters and brothers who died homeless has enabled homeless people and advocacy groups to conduct memorial services, which honored the life and dignity of each person by name; and,

WHEREAS, Counting homeless deaths has never been a precise science, because there is no way to track whether individuals who died in the hospital or nursing home had been formerly homeless and the homeless death count has never reflected the accurate number of homeless deaths; and,

WHEREAS, Beginning in 1992, the Department of Public Health worked with the Medical Examiner (M.E.) and with the faith community and homeless advocates to review the Medical Examiner's records to ascertain how many individuals had died without a fixed address in an attempt to get a more realistic count of homeless deaths; and,

WHEREAS, The Medical Examiner's records were used because deaths reportable to the Medical Examiner-Coroner are only those deaths covered under CA Government Code Section 27491 (which includes unclaimed deaths) and amounts to approximately 30% of the total 10,000 deaths in San Francisco each year; and,

WHEREAS, State law defines the information collected on the death certificate, and this does not include a classification box that would allow the designation of homeless; and

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WHEREAS, To determine last none address through the records in Vital Statistics of the Department of Public Health all 10,000 death certificates would need to be manually read to determine place of death; and

WHEREAS, Two laws have gone into effect that greatly restrict access to health related records, the first is the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 which governs rules and regulations pertaining to patient confidentiality; and

WHEREAS, Senator Jackie Speier sponsored SB 247 passed in 2002 which controls the release of and access to birth and death records and is intended to reduce identity theft; and,

WHEREAS, The Department of Public Health is no longer allowed to release the names of decedents because of the above confidentiality statutes unless the deceased is known by the requester by name and in this case, the State requires a $13 fee be paid for each record search by name; and,

WHEREAS, The Department of Public Health and the Medical Examiner both agree that it is a humane practice to annually remember those homeless by name who died each year; and,

WHEREAS, Homeless people and advocates compiled as thorough a list of homeless deaths as possible for each year from 2001 through 2004, but without the help of the Department of Public Health or the Medical Examiner,

WHEREAS, Homeless advocates and the faith community would like to determine a means to access the records within the Medical Examiner's Office and the Department of

Public Health so that a more complete homeless death count could be conducted annually; now, therefore, be it

RESOLVED, That the Board of Supervisors agrees that a homeless death count is a worthwhile and humane activity and instructs the City Attorney's Office to investigate State and federal statutes to determine any feasible means that advocates and the faith community would be legally able to access death records so that an annual accounting of homeless people may be made available to the public.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050073 **Date Passed:**

Resolution urging the City Attorney to explore feasible means to access death records.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050073

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 4, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050073

Amended in Committee. 1/24/04

FILE NO. 041759 RESOLUTION NO. 80-05

[Amending conditions for Maiden Lane alley closure.]

Resolution amending conditions for Maiden Lane alley closure by eliminating requirements for fourteen foot access lane and for posting a guard at entry gates; amending signage requirements at entry gates and hours of table service; and replacing references to the Maiden Lane Association with the Union Square Association.

WHEREAS, the Maiden Lane Association has worked successfully with the City of San Francisco since 1953 in the closure of Maiden Lane to vehicular traffic to create a colorful and unique promenade for the enjoyment of San Francisco residents and visitors which has stimulated business in the adjoining downtown areas; and

WHEREAS, the hours of street closure and other terms and conditions imposed by the City for the authorization of the street closure have been periodically updated by resolution of the Board of Supervisors to address changed conditions and the needs of the community; and

WHEREAS, the Maiden Lane Association merged with the Union Square Association in 1998; now, therefore, be it

RESOLVED, That permission revocable at the will of the Board of Supervisors and automatically terminating upon failure to continue in force the insurance protection hereinafter referred to, is hereby granted to the Union Square Association to occupy Maiden Lane between Kearny and Stockton Streets for the purpose of placing and removing tables and chairs, under reasonable conditions within its discretion, for the convenient use of pedestrians during the hours when Maiden Lane is closed to vehicular traffic; and be it

FURTHER RESOLVED, That all references to the "Maiden Lane Association" in Department of Public Works permits related to Maiden Lane between Stockton and Kearney

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Streets shall hereby be replaced by the "Union Square Association," as the successor in interest to the Maiden Lane Association; and be it

FURTHER RESOLVED, That all other conditions of Resolution No. 1008-79 are hereby rescinded;

PROVIDED HOWEVER, That this permission is conditional upon and shall only become effective when the following conditions are met:

(a) That upon adoption of this Resolution, the permittee shall deliver to the Controller a certificate of insurance evidencing the policy required by said Agreement and the Controller shall have approved such certificate as complying with the requirements of said Agreement, and shall deliver a new certificate of insurance annually evidencing the continuation of such policy of insurance; and

(b) The permittee shall cause to be recorded in the Office of the Assessor-Recorder of the City and County of San Francisco a copy of this Resolution and the Street Encroachment Agreement, dated January 8, 1974, between the Maiden Lane Association and the Department of Public Works, a copy of which is file with the Clerk of the Board of Supervisors in File No. 041759, and which is hereby declared to be a part of this Resolution as though fully set forth herein; and

(c) That the permittee shall post a sign at the each gate used to close Maiden Lane to vehicular traffic notifying the public of the hours of street closure, which signs shall be provided by the San Francisco Department of Parking and Traffic, with all costs of producing the signs to be paid by the Union Square Association; and

(d) That no commercial service shall be provided at least five (5) tables, and that commercial services may be provided at the other tables, although use by pedestrians for

their personal enjoyment, refreshment or relaxation shall not be interpreted as commercial service; and

(e) That the tables and chairs shall be promptly removed at 5:30 p.m.; and

(f) That permittee shall ensure that the following fire safety requirements are met at all times during street closure:

1. Permittee may not create any obstructions to the clear operation and proper use of any building fire escapes or building dry standpipes; and
2. All dry standpipes must be properly marked, maintained and tested in accordance with San Francisco Fire Code; and
3. Permittee may not affix any street furniture to the street or sidewalk; and
4. Permittee may not create any obstructions to pedestrian traffic on sidewalks; and
5. No portable propane heaters may be used at any time; and

(g) That the permittee shall keep the street clean to the satisfaction of the Director of Public Works; and

(h) That the permittee shall assume all costs and no cost or obligation of any kind shall accrue to the City and County of San Francisco.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 041759 **Date Passed:**

Resolution amending conditions for Maiden Lane alley closure by eliminating requirements for fourteen foot access lane and for posting a guard at entry gates; amending signage requirements at entry gates and hours of table service; and replacing references to the Maiden Lane Association with the Union Square Association.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 041759

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young,
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050074 RESOLUTION NO. 81-05

[Reinstatement of Homeless Death Count by San Francisco Department of Public Health]

Resolution urging Department of Health to reinstate Homeless Death Count.

WHEREAS, In 1987 the San Francisco Department of Public Health (DPH) began keeping count of the individuals who died homeless in San Francisco each year; and,

WHEREAS, The availability of the names of our sisters and brothers who died homeless that year enabled homeless people and advocacy groups to conduct memorial services, which honored the life and dignity of each person by name; and,

WHEREAS, Former Mayor Willie Brown discontinued this annual humane practice of the homeless death count by DPH in 2001; and,

WHEREAS, Reinstating the homeless death count can serve as a measure to assess the effectiveness of services aimed to prevent and minimize the number of deaths amongst the homeless population; and,

WHEREAS, Studying the homeless mortality rate is a practice administered in other major cities that provides information to conduct a comprehensive analysis on the contributing factors and causes that lead to the deaths of homeless individuals; and,

WHEREAS, Homeless people and advocates compiled as thorough a list of homeless deaths as possible for each year from 2001 through 2004, but without the official cooperation of the DPH, such lists did not reflect the real number of homeless deaths; now, therefore, be it

RESOLVED, That the Board of Supervisors hereby urges the DPH to resume the death count of homeless people, using the investigative criteria developed cooperatively by the DPH staff and homeless advocates through the years.

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City and County of San Francisco

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050074 **Date Passed:**

Resolution urging Department of Health to reinstate Homeless Death Count.

—

January 25, 2005 Board of Supervisors — ADOPTED
Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050074

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 4, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050074

FILE NO. 050079 RESOLUTION NO. 82-05

[Kin-GAP Resolution]

Resolution urging the California Legislature to standardize levels of aid payments for relative and non-relative legal guardianship in its Kinship Guardianship Assistance Program in order to encourage and support relative caretakers in taking guardianship of dependent and "at-risk" children.

WHEREAS, It is the intent of the Legislature to move children out of the foster care system and into permanent guardianship; and,

WHEREAS, It is the intent of the Legislature to provide equal benefits for all dependent children and those at risk of dependency; and,

WHEREAS, The Kinship Guardianship Assistance Payment (Kin-GAP) program was established in 1998 by SB 1901 in an attempt to move children out of the foster care system and into permanent guardianship placements; and,

WHEREAS, The Legislature has expressed its intent that Kin-GAP program be utilized to enhance the preservation of families and stabilize children in long-term, safe and stable placements with relatives; and,

WHEREAS, The Kin-GAP program is currently under utilized by eligible relative foster caretakers due to the loss of clothing and special needs resources for children moving from foster care into the program; and,

WHEREAS, Aid payment amounts as well as cost of care allowances for guardian families differ depending on whether or not the guardian is a relative of the child and whether or not the child meets the federal eligibility requirement for foster care; and,

WHEREAS, The differences in aid payment amounts as well as access to cost of care allowances result in disparaging amounts of support from child to child; and,

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WHEREAS, Inequities in aid payments and benefits provide a disincentive to relatives who otherwise would become guardians to foster children; and,

WHEREAS, It is the intent of the Legislature to equalize the aid payments across relative and non-relative legal guardianship to eliminate inequities, increase the utilization of Kin-GAP by relative caretakers, and to increase the welfare of children who find themselves so affected;

NOW, THEREFORE BE IT RESOLVED, That this Board of Supervisors, County of San Francisco, State of California, does hereby resolve, that legislative action is required to standardize levels of aid payments for relative and non-relative legal guardianship to encourage and support relative caretakers in taking guardianship of dependent and "at-risk" children.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050079 **Date Passed:**

Resolution urging the California Legislature to standardize levels of aid payments for relative and non-relative legal guardianship in its Kinship Guardianship Assistance Program in order to encourage and support relative caretakers in taking guardianship of dependent and "at-risk" children.

—

January 25, 2005 Board of Supervisors — ADOPTED

Ayes: 11 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

File No. 050079

I hereby certify that the foregoing Resolution was ADOPTED on January 25, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 4, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050079

FILE NO. 050138 RESOLUTION NO. 83-05

[Encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco]

Resolution encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco

WHEREAS, Last year, a coalition of California families and medical experts joined together to create a ballot initiative, called the California Stem Cell Research and Cures Initiative, which was designed to fund stem cell research in California; and

WHEREAS, The initiative was placed on the November 2004 statewide ballot as Proposition 71; and,

WHEREAS, San Francisco was the first city and/or county to officially endorse Proposition 71, with a resolution adopted by the Board of Supervisors and signed by the Mayor in May 2004; and,

WHEREAS, On November 4, 2004 California voters approved Proposition 71 with 59% of the vote; and,

WHEREAS, San Francisco voters overwhelmingly approved Proposition 71, with 71% of the vote; and,

WHEREAS, As a result of the passage of Proposition 71, Article XXXV, Section 1 of the California Constitution establishes the California Institute for Regenerative Medicine (hereinafter the "Institute"); and,

WHEREAS, It is expected that the Institute will issue a final request for proposals seeking office space for a headquarters close to a major center of biomedical research in February; and,

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WHEREAS, The City and County of San Francisco is currently preparing a comprehensive response to the request for proposals in hopes of enticing the Institute to locate here; and,

WHEREAS, With the University of California San Francisco (hereinafter "UCSF"), Stanford University, UC Berkeley, UC Davis, the Gladstone Institute and over 800 biotech companies in the Bay Area, San Francisco is at the center of a region which can claim no equal when it comes to stem cell and life sciences research; and,

WHEREAS, UCSF is the only university on the west coast with a federally-registered human embryonic stem cell line; and,

WHEREAS, San Francisco is at the center of the world's leading biotechnology cluster, and home to an unparalleled pool of talent that can meet the challenges of this important endeavor; and,

WHEREAS, San Francisco is a world-class city with a reputation for being on the leading edge of innovation, whether as the birthplace of biotechnology or the multimedia revolution and is an ideal location for the Institute; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the California Institute of Regenerative Medicine to choose San Francisco for the location of its headquarters.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050138 **Date Passed:**

Resolution encouraging the California Institute for Regenerative Medicine to locate its Headquarters in San Francisco.

February 1, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050138

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

February 4, 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 050147 RESOLUTION NO. 84-05

[Require Potrero Power Plant Unit 3 to comply with water quality standards.]

Resolution urging the San Francisco Bay Regional Water Quality Control Board to require Mirant's Potrero Power Plant Unit 3 to come into compliance with all water quality standards and to terminate the wastewater discharge permit when the power plant is no longer needed for electric reliability.

WHEREAS, Southeast San Francisco has a disproportionate number of industrial and polluting facilities; and

WHEREAS, Old power plants such as Potrero Power Plant Unit 3 (Unit 3) emit an unreasonable amount of pollution that damages public health and the environment of San Francisco Bay and has been doing so for many years; and

WHEREAS, the current wastewater discharge permit, issued in 1994 and due to expire in 1999, was administratively extended by the Regional Board until 2005, without public review, as required by state and federal law; and

WHEREAS, The San Francisco Bay Regional Water Quality Control Board (Regional Board) is considering renewing the wastewater discharge permit for Unit 3 for another five (5) year period, terminating in 2009, without any significant modification; and

WHEREAS, Unit 3 uses over 206 million gallons per day of bay water for cooling, making it the largest power plant that still uses water drawn from San Francisco Bay in a once-through cooling system; and

WHEREAS, Since the 1994 wastewater discharge permit was issued, the Regional Board has re-classified Unit 3 as a major discharger because of impacts from (1) the intake of bay water, (2) the discharge of heated wastewater, and (3) the high volume discharge of pollutants that threaten water quality; and

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WHEREAS, The Unit 3 bay water intake and discharge structures do not meet current minimum federal and state design standards for protection of the bay; and

WHEREAS, Because the intake and discharge structures do not meet minimum standards, millions of fish and invertebrate animals are killed each year; and

WHEREAS, The wastewater discharge also contains numerous pollutants of concern such as copper, mercury, PCBs and DDE that accumulate in the environment and cause ecological damage; and

WHEREAS, The National Oceanic and Atmospheric Administration has determined that a once-through cooling system discharging to San Francisco Bay, such as the one for Unit 3, destroys habitat and aquatic life in San Francisco Bay; and

WHEREAS, The Regional Board's draft discharge permit, if adopted without revisions, will allow Mirant to continue operating Unit 3 without coming into compliance with current state and federal laws; and

WHEREAS, The California Independent System Operator has determined that Unit 3 will not be needed for electric reliability once certain additional energy resources are in place, and has committed to remove the Reliability Must Run (RMR) designation from Unit 3 at that time; and

WHEREAS, The City is making progress to ensure that the additional energy resources are in place within the next 2 years so that Unit 3 will no longer be needed for electric reliability; and,

WHEREAS, Without the wastewater discharge permit Unit 3 cannot operate; and

WHEREAS, It is within the authority of the Regional Board to require Mirant to comply with water quality standards and to terminate the wastewater discharge permit when the CAISO terminates the RMR contract for Unit 3; and

WHEREAS, Unit 3 should not be allowed to operate out of compliance with water quality standards; and,

WHEREAS, Unit 3 will be out of service during early 2005 for retrofit work to bring Unit 3 into compliance with the Clean Air Act; and,

WHEREAS, While Unit 3 is out of service for this work, Mirant should be required to take steps to mitigate the failure of the plant to comply with water quality standards; now, therefore, be it

RESOLVED, That the Board of Supervisors urges the Regional Board to require Mirant to come into compliance with all current water quality standards before issuing a new wastewater discharge permit; and, be it

FURTHER RESOLVED, That if Mirant is allowed to operate Unit 3 out of compliance with current water quality standards, the Regional Board should: (a) require from Mirant a detailed proposal for how the power plant will be modified to comply with state and federal laws, and (b) adopt an expedited schedule for the proposal and implementation of the modifications needed to comply with water quality standards, and (c) require that Mirant take immediate interim steps to reduce harm to the bay while it is operating out of compliance with water quality standards; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the Regional Board to require the wastewater discharge permit for Unit 3 to terminate when CAISO determines that it is no longer needed for electric reliability.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050147 **Date Passed:**

Resolution urging the San Francisco Bay Regional Water Quality Control Board to require Mirant's Potrero Power Plant Unit 3 to come into compliance with all water quality standards and to terminate the wastewater discharge permit when the power plant is no longer needed for electric reliability.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050147

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

February 4, 2005
Date Approved

Mayor Gavin Newsom

FILE NO. 050020 RESOLUTION NO. 85-05

[Withdrawing the City from the North Coastal Counties Supervisors Association.]

Resolution authorizing the City to withdraw from the "North Coastal Counties Supervisors Association."

WHEREAS, The City is a member of the "North Coastal Counties Supervisors Association;" and

WHEREAS, The City has not participated in the Association for many years; now, therefore, be it

RESOLVED, That the City hereby withdraws from the "North Coastal Counties Supervisors Association" and directs the Clerk of the Board to send a copy of this Resolution to the Association.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050020 **Date Passed:**

Resolution authorizing the City to withdraw from the "North Coastal Counties Supervisors Association."

February 1, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050020

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050021 RESOLUTION NO. 86-05

[Withdrawing from the San Mateo County-City and County of San Francisco Task Force.]

Resolution repealing Resolution No. 876-82, to dissolve the "San Mateo County-City and County of San Francisco Task Force."

WHEREAS, Resolution No. 876-82 authorized the Board of Supervisors to participate in a "San Mateo County-City and County of San Francisco Task Force;" and

WHEREAS, Rule 2.27 of the Board of Supervisors' Rules of Order requires the Clerk of the Board to determine and identify each year every subordinate body that has not met for at least four months and to request the City Attorney to prepare legislation repealing the resolution or ordinance that created the body; and,

WHEREAS, The Task Force has not met in more than four months; now, therefore, be it

RESOLVED, That Resolution No. 876-82 is hereby repealed in its entirety and the City hereby withdraws from the San Mateo County-City and County of San Francisco Task Force.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050021 **Date Passed:**

Resolution repealing Resolution No. 876-82, to dissolve the "San Mateo County-City and County of San Francisco Task Force."

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050021

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050023 RESOLUTION NO. 87-05

[Dissolving the United Nations Plaza Working Group]

Resolution repealing Motion No. M01-140, to dissolve the "United Nations Plaza Working Group."

WHEREAS, Motion No. M01-140 created a "United Nations Plaza Working Group;" and

WHEREAS, The Working Group was directed to submit a report to the Board of Supervisors by December 31, 2001; and,

WHEREAS, Rule 2.27 of the Board of Supervisors' Rules of Order requires the Clerk of the Board to determine and identify each year every subordinate body that has not met for at least four months and to request the City Attorney to prepare legislation repealing the resolution or ordinance that created the body; and,

WHEREAS, The Working Group has not met in more than four months; now, therefore, be it

RESOLVED, That Motion No. M01-140 is hereby repealed in its entirety and the United Nations Plaza Working Group is dissolved.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050023 **Date Passed:**

Resolution repealing Motion No. M01-140, to dissolve the "United Nations Plaza Working Group."

February 1, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050023

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050122 RESOLUTION NO. 88-05

[Apply for, Accept and Expend State Grant]

Resolution authorizing the Department of Public Works to apply for, accept and expend a grant in the amount of $298,010 in Waste Tire Enforcement Grant funds from the California Integrated Waste Management Board for enforcing proper disposal of waste tires and authorizing the Department of Public Works to apply for future Waste Tire Enforcement Grants.

WHEREAS, Funds are allocated and available from the California Integrated Waste Management Board for grants to solid waste Local Enforcement Agencies (LEA) and cities and counties with regulatory authority within the city and county government to perform enforcement/compliance and surveillance activities at waste tire facilities; and,

WHEREAS, The California Integrated Waste Management Board has been delegated the responsibility for the administration of the program within the state, setting up necessary procedures governing application by cities and counties under the program; and,

WHEREAS, The Department of Public Works, on behalf of the City and County of San Francisco, demonstrates it has sufficient staff resources, technical expertise, and/or experience with similar projects to carry out the proposed program; and,

WHEREAS, The Department of Public Works will enter into an agreement with the State of California for implementation of a waste tire enforcement program; and,

WHEREAS, The California Integrated Waste Management Board requires all applicants for Waste Tire Enforcement grants to certify by resolution the approval of applications for funding; and,

Supervisor Mirkarimi

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WHEREAS, The Department of Public Works shall submit all required additional information for the Board of Supervisors' consideration of an "accept and expend" resolution; and,

WHEREAS, The grant terms prohibit including indirect costs in the grant budget; now, therefore, be it

RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of Public Works to apply for, accept and expend $298,010 in Waste Tire Enforcement Grant funds from the California Integrated Waste Management Board; and be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget as it is not permitted by the funding agency; and be it

FURTHER RESOLVED, That the Director of Public Works, or his or her designee, is hereby authorized to submit future applications to the California Integrated Waste Management Board for Waste Tire Enforcement Grants for a period of up to five years; and be it

FURTHER RESOLVED, That the Department of Public Works will not accept nor expend any future Waste Tire Enforcement Grant funds, without approval of the Board of Supervisors; and be it

FURTHER RESOLVED, That the Director of Public Works, or his or her designee, is hereby authorized and empowered to execute in the name of the City and County of San Francisco all necessary applications, contracts, payment requests, agreements, and amendments hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the application.

Supervisor Mirkarimi

Recommended:

Department Head

Approved:

Mayor

Approved:

for Controller

Supervisor Mirkarimi

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050122 **Date Passed:**

Resolution authorizing the Department of Public Works to apply for, accept and expend a grant in the amount of $298,010 in Waste Tire Enforcement Grant funds from the California Integrated Waste Management Board for enforcing proper disposal of waste tires and authorizing the Department of Public Works to apply for future Waste Tire Enforcement Grants.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

File No. 050122

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050123 RESOLUTION NO. 89-05

[Accept-Expend Federal and State Grants]

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal Transportation Enhancement Activities grant in the amount of $325,945, and a State Transportation Improvement Program grant in the amount of $42,230 from the Metropolitan Transportation Commission for a Shared Lane Pavement Marking TEA Project.

WHEREAS, The Transportation Equity Act for the 21st Century (TEA 21 Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program, the Congestion Mitigation and Air Quality Improvement Program, and the Enhancement Activities Program; and,

WHEREAS, Transportation Enhancement funds are to be used for transportation-related projects that enhance quality-of-life, in or around transportation facilities; and,

WHEREAS, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

WHEREAS, As part of that new process, the Metropolitan Transportation Commission (MTC) is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to Government Code Section 14527(b), for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and,

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the Regional Transportation Improvement Program; and,

Supervisor Sean R. Elsbernd

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WHEREAS, Applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and,

WHEREAS, The San Francisco Department of Parking and Traffic is a sponsor of transportation projects eligible for Regional Improvement Program funds; and,

WHEREAS, The City and County of San Francisco wishes to receive federal transportation funds through the Metropolitan Transportation Commission's (MTC) Transportation Enhancement Activities Program with a required local match from the State Transportation Improvement Program for a Shared Lane Pavement Marking Project; and,

WHEREAS, The project described above qualifies for funding under the MTC Transportation Enhancement Activities Program and is included in a recommended project list approved by San Francisco County Transportation Authority (TA) staff and the TA's Citizen Advisory Committee on December 8, 2004; and,

WHEREAS, The federal TEA funds will cover 88.5 percent of eligible costs as defined by the Federal Highway Administration and administered by California Department of Transportation; and,

WHEREAS, The non-federal share of funds from the State Transportation Improvement Program will provide 11.5 percent of eligible costs; and

WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including city overhead indirect costs in the grant budget; and,

WHEREAS, The RTIP project nomination sheet of the Shared Lane Pavement Marking TEA project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which the San Francisco Department of Parking and Traffic is requesting that MTC program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program; and,

Supervisor Sean R. Elsbeend .

WHEREAS, Part 2 of the Shared lane Pavement Marking TEA Project application, attached hereto and incorporated herein as though set forth at length, includes the certification by the San Francisco Department of Parking and Traffic of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

WHEREAS, The San Francisco Department of Parking and Traffic approves the assurances set forth in Part 2 of the Shared Lane Pavement Marking TEA Project application, attached to this resolution; and

WHEREAS, The San Francisco Department of Parking and Traffic has reviewed the project and has adequate staffing resources to deliver and complete the Shared Lane Pavement Marking TEA Project within the schedule set forth in the RTIP project nomination sheet of the project application, attached to this resolution; and

WHEREAS, The San Francisco Department of Parking and Traffic is an eligible sponsor of projects in the State Transportation Improvement Program; and

WHEREAS, The San Francisco Department of Parking and Traffic is authorized to submit an application for State Transportation Improvement Program for the Shared Lane Pavement Marking TEA Project; and

WHEREAS, That there is no legal impediment to the San Francisco Department of Parking and Traffic making applications for Regional Improvement Program funds; and

WHEREAS, That there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the San Francisco Department of Parking and Traffic to deliver such project; and therefore be it

RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

Supervisor Sean R. Elsbeend

FURTHER RESOLVED, That the San Francisco Board of Supervisors authorizes the Director of Transportation or his designee to accept and expend a Federal grant in the amount of $325,945, and a state grant in the amount of $42,230 from the Metropolitan Transportation Commission's Transportation Enhancement Activities Program and State Transportation Improvement Program for a Shared Lane Pavement Marking TEA Project; and be it

FURTHER RESOLVED, That a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the San Francisco Department of Parking and Traffic application referenced herein.

Recommended:

Michael Burns
Director of Transportation

Approved: _____
Mayor

Approved: _____
Controller

Supervisor Sean R. Elsbeend

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050123 **Date Passed:**

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal Transportation Enhancement Activities grant in the amount of $325,945, and a State Transportation Improvement Program grant in the amount of $42,230 from the Metropolitan Transportation Commission for a Shared Lane Pavement Marking TEA Project.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050123

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050139 RESOLUTION NO. 90-05

[Grant to improve pregnancy outcomes through implementing a smoke free pregnancy project.]

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $25,000 from the March of Dimes Foundation (MODF) for the Smoke Free Pregnancy Project, to enter into an agreement for the use of these funds, and to add one new position funded through this grant; for the period of January 1, 2005, to December 31, 2005.

WHEREAS, SFDPH has applied for and been awarded a Smoke Free Pregnancy Project grant from MODF in the amount of $25,000 to improve pregnancy outcomes; and,

WHEREAS, As a condition of receiving the grant funds, MODF requires the City to enter into an agreement (the "Agreement"), a copy of which is on file with the Clerk of the Board of Supervisors in File No. 050139, which is hereby declared to be a part of this resolution as if set forth fully herein; and,

WHEREAS, This Resolution requires expedited review by the Board of Supervisors because the award was not received from MODF until after the grant start date of January 1, 2005; and,

WHEREAS, Resolutions authorizing the acceptance and expenditure of grant funds may be placed automatically on the consent agendas in committee, as they are usually considered to be routine items, and this resolution authorizes the acceptance and expenditure of grant funding; and,

WHEREAS, One temporary, part-time position will be added through this grant; and,

WHEREAS, The grant terms prohibit including indirect costs in the grant budget; now, therefore, be it

Supervisors Alioto-Pier, Dufty

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RESOLVED, That SFDPH is hereby authorized to accept retroactively and expend a grant in the amount of $25,000 from MODF; and, be it

FURTHER RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the budget of the Agreement; and, be it

FURTHER RESOLVED, That SFDPH is hereby authorized to accept and expend the grant funds in accordance with the requirements set forth in the Agreement pursuant to San Francisco Administrative Code section 10-170-1; and, be it

FURTHER RESOLVED, That the Director of Health is authorized to enter into the agreement on behalf of the City; and, be it

FURTHER RESOLVED, That the Controller is directed to designate the position funded under this agreement as a "G" or grant-funded position which would terminate when the agreement expires.

RECOMMENDED:

Mitchell Katz, M.D.
Director of Health

APPROVED:

Health Commission

Office of the Mayor

Office of the Controller

Supervisors Alioto-Pier, Dufty

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050139 **Date Passed:**

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $25,000 from the March of Dimes Foundation (MODF) for the Smoke Free Pregnancy Project, to enter into an agreement for the use of these funds, and to add one new position funded through this grant; for the period of January 1, 2005, to December 31, 2005.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050139

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050140 RESOLUTION NO. 91-05

[Supporting Self-Anchored Suspension Design]

Resolution endorsing the principle that the most expeditious path to seismic safety for this critical component of the region's transportation infrastructure is to retain the Self-Anchored Suspension design that is 100 percent complete, fully permitted and ready to construct.

WHEREAS, In January 2002, then Governor Gray Davis presided over groundbreaking ceremonies to mark the start of construction of the new east span of the Bay Bridge; and

WHEREAS, Construction work has continued since that time, with over 65 percent (65%) of the skyway portion of the bridge near the Oakland shore now completed, the west pier of the Self-Anchored Suspension now complete on Yerba Buena Island, the contract to construct the tower and east pier of the Self-Anchored Suspension span is 20 percent (20%) complete, and a total of over $200 million in design and construction work on the Self-Anchored Suspension span has already been expended; and

WHEREAS, In August 2004, Caltrans reported additional cost overruns for the toll bridge seismic retrofit program, with the Self-Anchored Suspension portion of the new east span replacement project estimated to be responsible for approximately half of the cost increase; and

WHEREAS, In September 2004, Caltrans rejected the sole bid received to construct the superstructure of the Self-Anchored Suspension design and announced it was undertaking a review of the east span project to determine whether or not to redesign the bridge; and

WHEREAS, In December 2004, Governor Arnold Schwarzenegger proposed to scrap the Self-Anchored Suspension design and replace it with a skyway alternative orginally proposed by then Governor Wilson seven years previously; and

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WHEREAS, Independent reporst from the Federal Highway Administration, Bechtel Infrastructure Corporation, and Caltrans Seismic Safety Peer Review Panel generally support retaining the current Self-Anchored Suspension design, with the seismic safety panel concluding that, "Any change in bridge type or geometry could result in multi-year delays which are unacceptable from a seismic safety point of view. Furthermore, with recent and continuing increases in material and construction costs it is not clear that project delays will result in overall cost savings."; and

WHEREAS, The San Francisco Bay Area has experienced nine (9) major earthquakes in excess of 6.5 or greater over the past 170 years, averaging one major earthquake every 19 years; and

WHEREAS, The U.S. Geological Survey has estimated that there is a 62 percent (62%) probability that an earthquake of a magnitude 6.7 or greater will occur within the next 30 years on the San Andreas and Hayward faults, both of which as adjacent to the east span; and

WHEREAS, Such an earthquake could cause the collapse of major sections of the existing east span cantilever truss structure, which is used by 180,000 individuals daily; and

WHEREAS, Such a collapse could cause the death and/or injury of thousands of people and cause economic distress for businesses and workers through nine counties of the San Francisco Bay Area; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco endorses the principle that the most expeditious path to seismic safety for this critical component of the region's transportation infrastructure is to retain the Self-Anchored Suspension design that is 100 percent complete, fully permitted and ready to construct; and be it

FURTHER RESOLVED, That the Board of Supervisors urges the California Legislature to retain the Self-Anchored Suspension design in State law and further requests the Governor of California and Caltrans to immediately advertise and solicit construction bids for that design; and be it

FURTHER RESOLVED, That the Board of Supervisors urges the California Legislature and the Governor of California to promptly commence negotiations to achieve a fair and equitable cost-sharing agreement for the latest cost overruns for the toll bridge seismic retrofit program; and be it

FURTHER RESOLVED, That the Board of Supervisors requests the Clerk of the Board forward the resolution upon passage to the Governor of California, the California Senate and Assembly, and the Metropolitan Transportation Commission.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050140 **Date Passed:**

Resolution endorsing the principle that the most expeditious path to seismic safety for this critical component of the region's transportation infrastructure is to retain the Self-Anchored Suspension design that is 100 percent complete, fully permitted and ready to construct.

February 1, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050140

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 11, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050140

FILE NO. 050141 RESOLUTION NO. 92-05

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[Commemorating 60th Anniversary of Liberation of Auschwitz]

Resolution commemorating the 60th anniversary of the liberation of Auschwitz death camps, expressing solidarity with similar commemorative ceremonies at the United Nations and across the world, reaffirming the commitment to the securing of human rights and dignity, acknowledging the human suffering of victims and survivors of the Holocaust, and imploring all nations to employ all preventive and diplomatic efforts to prevent current and future wars of genocide.

WHEREAS, On January 24, 2005, the United Nations General Assembly commemorated the 60th anniversary of the liberation of prisoners and survivors of Nazi Germany and especially the liberation of Auschwitz and Birkenau; and

WHEREAS, The death camps were constructed by the Nazi regime to exterminate the Jewish population in Europe; and

WHEREAS, The most notorious of the death camps were built in Auschwitz and Birkenau in Poland in which over 1.5 million people, mostly Jews from all parts of Europe, were tortured, gased, murdered or died of starvation; and

WHEREAS, On January 27, 1945, the Soviet Red Army liberated Auschwitz and were horrified to discover over 7,000 prisoners still surviving behind barbed wire fences, severely emaciated and near death; and

WHEREAS, Over six million people Jews died under the dictatorial Nazi regime as well as several million Soviet prisoners of war, communists, homosexuals, Roma Gypsies and political opponents of the Nazi government; and

WHEREAS, Secretary General Kofi Annan, in his speech to the United Nations General Assembly, recognized the contribution of Jews to world culture and history and the enormous suffering of Jewish people and said "The United Nations must never forget that it was created as a response to the evil of Nazism, or that the horror of the Holocaust helped shaped it mission"; and

WHEREAS, On January 25, 2005, German Chancellor Gerhard Schroeder presided over similar commemorative ceremonies before the German parliament and said "The memory of the Nazi genocide is part of our national identity...remembering the era of National Socialism and its crimes is a moral obligation we owe not only to the victims, the survivors and relatives, but to ourselves"; and

WHEREAS, In Paris, French President Jaques Chirac unveiled a memorial wall to commemorate the 76,000 Jews that French government sent off to Nazi death camps and acknowledged and apologized for France's complicity in the persecution of Jews in France and vowed fight the recent surge of anti-Semitism in France; and

WHEREAS, Nobel Peace laureate, Elie Wiesel, speaking before the United Nations General Assembly said, "The Jewish Witness that I am speaks of my people's suffering as a warning. He sounds the alarm to prevent those tragedies from being done to others and I am convinced if the world has listened to those of us who tried to speak we may have prevented Darfur, Cambodia, Bosnia and Rwanda; so therefore be it

RESOLVED, That the San Francisco Board of Supervisors commemorates the 60th anniversary of the liberation of Auschwitz death camps, expresses solidarity with similar commemorative ceremonies at the United Nations and across the world, reaffirms the commitment to the securing of human rights and dignity, acknowledges the human suffering of victims and survivors of the Holocaust, and implores all nations to employ all preventive and diplomatic efforts to prevent current and future wars of genocide.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050141 **Date Passed:**

Resolution commemorating the 60th anniversary of the liberation of Auschwitz death camps, expressing solidarity with similar commemorative ceremonies at the United Nations and across the world, reaffirming the commitment to the securing of human rights and dignity, acknowledging the human suffering of victims and survivors of the Holocaust, and imploring all nations to employ all preventive and diplomatic efforts to prevent current and future wars of genocide.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

File No. 050141

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050142 RESOLUTION NO. 93-05

[Resolution commending Dr. Boyd Stephens on his career in civil service.]

Resolution commending Dr. Boyd Stephens on his career in civil service.

WHEREAS, Boyd G. Stephens, M.D. has recently retired after a long and dedicated career, serving the Citizens of San Francisco since 1968 as its first Chief Medical Examiner; and

WHEREAS, Dr. Stephens worked countless tireless hours to transform the former Coroner's Office into one of the Premier Medical Examiner's Offices in the world; and

WHEREAS, Dr. Stephens is one of the forefathers of Forensic Medicine and an inspiration to many in the field of law enforcement; and

WHEREAS, many groups both in San Francisco and throughout the legal field, including both Prosecution and Defense Counsels, have lauded his contributions to the investigation and prevention of elder and child abuse and suicides, and additionally praised his dedication, intelligence, and honesty; now, therefore, be it

RESOLVED, that the San Francisco Board of Supervisors commends Dr. Boyd Stephens for his long and impressive service to the city of San Francisco.

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City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050142 **Date Passed:**

Resolution commending Dr. Boyd Stephens on his career in civil service.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050142

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050143 RESOLUTION NO. 94-05

[Commendation for Tom Hayes.]

Resolution commending Tom Hayes on the celebration of his 80th Birthday.

WHEREAS, Tom Hayes, was born on January 13, 1925 in Ballyneale, Ballingarry County Limerick, Ireland; and,

WHEREAS, Tom, emigrated to San Francisco, California in 1949 were he began to carve out his life as a hard working, ambitious member of the American Society not only in his work life but also worked tirelessly to get involved in many community organizations; and,

WHEREAS, Tom, in 1952 married his lifetime love Patricia Brosnan and soon after started there wonderful family, Dan, Joanne, Patty & Geraline, Tom and Patricia's family continues to grow with there many beautiful grandchildren; and,

WHEREAS, Tom served as Founding Member, President, Vice President, and Director to many organizations such as the All Ireland Social Club, the United Irish Cultural Center, the Hibernian Newman Club, and the Catholic Youth Organization; and,

WHEREAS, Tom was appointed to the Bay Area Rapid Transit Board of Directors in 1972 and later appointed by the Board of Supervisors to the Adult Detention Committee which he served both with great honor; and,

WHEREAS, Tom, is very proud of his Irish Heritage and has instilled in his family and friends the love of the Emerald Isle; and

WHEREAS, Tom, is a valuable member of the community, his warmth, energy, enthusiasm, and brilliant sense of humor is priceless any person who comes into contact with Tom walks away with a glow; and,

RESOLVED, That the Board of Supervisors commends Tom Hayes for bringing his Irish heart to San Francisco and contributing so much to the City of Saint Francis.

Supervisors Elsbernd, Dufty, Ma, Peskin

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Resolution

City Hall
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File Number: 050143 **Date Passed:**

Resolution commending Tom Hayes on the celebration of his 80th Birthday.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050143

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050144 RESOLUTION NO. 95-05

[Accept-Expend Federal and State Grants]

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal grant in the amount of $268,576 and a state grant in the amount of $34,797 from the Metropolitan Transportation Commission for a Pedestrian Safety and Access Education TEA Project.

WHEREAS, The Transportation Equity Act for the 21st Century (TEA 21 Public Law 105-178, June 9, 1998) and the TEA 21 Restoration Act (Public Law 105-206, July 22, 1998) continue the Surface Transportation Program, the Congestion Mitigation and Air Quality Improvement Program, and the Enhancement Activities Program; and,

WHEREAS, Transportation Enhancement funds are to be used for transportation-related projects that enhance quality-of-life, in or around transportation facilities; and,

WHEREAS, SB 45 (Chapter 622, Statutes 1997) substantially revised the process for estimating the amount of state and federal funds available for transportation projects in the state and for appropriating and allocating the available funds to these projects; and

WHEREAS, As part of that new process, the Metropolitan Transportation Commission (MTC) is responsible for programming projects eligible for Regional Improvement Program funds, pursuant to Government Code Section 14527(b), for inclusion in the Regional Transportation Improvement Program, and submission to the California Transportation Commission, for inclusion in the State Transportation Improvement Program; and,

WHEREAS, MTC has requested eligible transportation project sponsors to submit applications nominating projects to be programmed for Regional Improvement Program funds in the Regional Transportation Improvement Program; and,

Supervisor Sonn R. Osborne.

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WHEREAS, Applications to MTC must be submitted consistent with procedures, conditions, and forms it provides transportation project sponsors; and,

WHEREAS, The San Francisco Department of Parking and Traffic is a sponsor of transportation projects eligible for Regional Improvement Program funds; and,

WHEREAS, The City and County of San Francisco wishes to receive federal transportation funds through the Metropolitan Transportation Commission's (MTC) Transportation Enhancement Activities Program with required local match from the State Transportation Improvement Program for a 3-year city wide Pedestrian Safety and Access Education Project; and,

WHEREAS, The project described above qualifies for funding under the MTC Transportation Enhancement Activities Program and is included in a recommended project list approved by San Francisco County Transportation Authority (TA) staff and the TA's Citizen Advisory Committee on December 8, 2004; and,

WHEREAS, The federal TEA funds will cover 88.5 percent of eligible costs as defined by the Federal Highway Administration and administered by California Department of Transportation; and,

WHEREAS, The non-federal share of funds from the State Highway Account will cover 11.5 percent of eligible costs; and

WHEREAS, The Department proposes to maximize use of available grant funds on program expenditures by not including city overhead indirect costs in the grant budget; and,

WHEREAS, The RTIP project nomination sheet of the Pedestrian Safety and Access Education TEA project application, attached hereto and incorporated herein as though set forth at length, lists the project, purpose, schedule and budget for which the San Francisco Department of Parking and Traffic is requesting that MTC program Regional Improvement Program funds for inclusion in the Regional Transportation Improvement Program; and,

Supervisor Sean R. Elsbernd.

WHEREAS, Part 2 of the Pedestrian Safety and Access Education TEA Project application, attached hereto and incorporated herein as though set forth at length, includes the certification by the San Francisco Department of Parking and Traffic of assurances required by SB 45 in order to qualify the project listed in the RTIP project nomination sheet of the project application for programming by MTC; and

WHEREAS, The San Francisco Department of Parking and Traffic approves the assurances set forth in Part 2 of the Pedestrian Safety and Access Education TEA project application, attached to this resolution; and

WHEREAS, The San Francisco Department of Parking and Traffic has reviewed the project and has adequate staffing resources to deliver and complete the Pedestrian Safety and Access Education TEA project within the schedule set forth in the RTIP project nomination sheet of the project application, attached to this resolution; and

WHEREAS, The San Francisco Department of Parking and Traffic is an eligible sponsor of projects in the State Transportation Improvement Program; and

WHEREAS, There is no legal impediment to the San Francisco Department of Parking and Traffic making applications for Regional Improvement Program funds; and

WHEREAS, There is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of the San Francisco Department of Parking and Traffic to deliver such project; now therefore, be it

RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in the grant budget; and be it

FURTHER RESOLVED, That the City and County authorizes the Director of Transportation or his designee to accept and expend a Federal grant in the amount of $268,576 and a state grant in the amount of $34,797 from the Metropolitan Transportation Commission for a Pedestrian Safety and Access Education TEA Project, and be it

Supervisor Sam R. Ashbaard.

FURTHER RESOLVED, That a copy of this resolution shall be transmitted to MTC in conjunction with the filing of the San Francisco Department of Parking and Traffic application referenced herein.

Recommended:

Michael Burns

Director of Transportation

Approved: _____

Mayor

Approved: _____

Controller

Supervisor Sean R. Elsbernd.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050144 **Date Passed:**

Resolution authorizing the Director of Transportation or his designee to accept and expend a Federal grant in the amount of $268,576 and a state grant in the amount of $34,797 from the Metropolitan Transportation Commission for a Pedestrian Safety and Access Education TEA Project.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050144

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050145 RESOLUTION NO. 96-05

[San Francisco Parent Teacher Association (PTA) Day in San Francisco.]

Resolution declaring February 4, 2005 as "San Francisco Parent Teacher Association (PTA) Day" in the City and County of San Francisco.

WHEREAS, Alice McLellan Birney and Phoebe Apperson Hearst founded the National Congress of Mothers in 1897 which became the National Congress of Parents and Teachers in 1925; and,

WHEREAS, Selena Sloan Butler founded the National Congress of Colored Parents and Teachers in 1926; and,

WHEREAS, The two groups were united to form the National Parent Teachers Association in 1970; and,

WHEREAS, February is the month designated to commemorate the founders of the PTA and to celebrate the dedicated volunteers who work to provide leadership, support and services to our public schools; and,

WHEREAS, We gratefully acknowledge the hard work and support of parents, teachers, principals, community groups, San Francisco Unified School District administration and School Board members; and,

WHEREAS, The San Francisco Board of Supervisors acknowledges the San Francisco Parent Teachers Association's dedication to support education and provide skills in advocacy, leadership and communication to positively impact the lives of all children; now, therefore be it

RESOLVED, That the Board of Supervisors declares February 4, 2005 as "San Francisco Parent Teachers Association (PTA) Day" in the City and County of San Francisco.

Supervisor Ma, Duffy, Elsbernd, Mirkarimi
BOARD OF SUPERVISORS

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Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050145 **Date Passed:**

Resolution declaring February 4, 2005 as "San Francisco Parent Teacher Association (PTA) Day" in the City and County of San Francisco.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050145

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050146 RESOLUTION NO. 97-05

[Commending the Experimental Middle School of Beijing.]

Resolution commending the Experimental Middle School of Beijing Normal University for its leadership in international education and for its extensive contributions to our children's intellectual and cultural growth.

WHEREAS, The Experimental Middle School of Beijing Normal University is dedicated to the preparation of young people to be future national and world leaders; and,

WHEREAS, The Experimental School emphasizes the importance of learning about other cultures, languages and nations; and,

WHEREAS, The Experimental School, throughout its history has promoted international education by having its students travel to schools in Asia, Australia, Europe and North America; and,

WHEREAS, The Experimental School's staff, students and families have hosted numerous delegations of students from all over the world, welcoming them into their schools and homes and these visits have greatly improved the quality of teaching and the depth of learning our students receive ; and,

WHEREAS, The Alice Fong Yu School students, teachers and parents have visited the Experimental School annually since 2000; and,

WHEREAS, A delegation of students and staff from the Experimental School will visit Alice Fong Yu School and San Francisco during the week of January 24, 2005; now, therefore be it

RESOLVED, That the Board of Supervisors commends the Experimental Middle School of Beijing Normal University for its leadership in international education and for its extensive contributions to our children's intellectual and cultural growth.

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Resolution

City Hall
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San Francisco, CA 94102-4689

File Number: 050146 **Date Passed:**

Resolution commending the Experimental Middle School of Beijing Normal University for its leadership in international education and for its extensive contributions to our children's intellectual and cultural growth.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050146

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FEB 11 2005

Date Approved

Mayor Gavin Newsom

FILE NO. 050148 RESOLUTION NO. 98-05

[Resolution urging full funding of CHIPPS.]

Resolution urging full funding and implementation of the Community and Home Injury Prevention Project for Seniors (CHIPPS) by the San Francisco Department of Public Health.

WHEREAS, The leading cause of injury death to seniors is from falls in the home, which causes 32% of injury deaths to San Francisco seniors; and

WHEREAS, The leading cause of injury hospitalization of seniors is from falls in the home, which causes 77% of San Francisco senior hospitalizations; and,

WHEREAS, In 1996 an estimated $40 million annually was spent on hospitalization of senior injuries (excluding Kaiser), with 75% resulting from falls in the home; and,

WHEREAS, In San Francisco, falls in the home account for 74% of all injury hospitalization discharges to long-term residential or home health service care; and,

WHEREAS, For seniors, who frequently require extensive follow-up care, including long-term institutionalization, permanent dependency on family members or attendants, home renovations and other direct and indirect costs, actual costs, both financially and mentally are considerably higher; and,

WHEREAS, Household hazards such as falls, burns and scalds pose special problems to older people, and it is possible to prevent many such injuries; and,

WHEREAS, There is a common misconception that falling and injuries such as a broken hip happen by chance and for those over age 60, such events are seen as an inevitable consequences of aging; and,

WHEREAS, Injuries of seniors and persons with disabilities in the home can be prevented; and,

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WHEREAS, Injury prevention is less expensive to the City over time than is treatment after the fact; and,

WHEREAS, The Community and Home Injury Prevention Project for Seniors (CHIPPS) helped older people avoid these problems at home and in the community from 1992 to February, 2004; and,

WHEREAS, The goals of CHIPPS are:

- Create awareness that many injuries to older people can be prevented,
- Develop simple ways to recognize and correct injury hazards,
- Provide resources and information to health professionals and the public; and,

WHEREAS, CHIPPS provides educational presentations, workshops, home assessments and small home modifications to San Francisco seniors; and,

WHEREAS, CHIPPS is not funded and has been in effect not staffed since February 2004; now, therefore, be it

RESOLVED, That the Board of Supervisors calls for full implementation of the Community and Home Injury Prevention Project for Seniors (CHIPPS) by the San Francisco Department of Public Health.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050148 **Date Passed:**

Resolution urging full funding and implementation of the Community and Home Injury Prevention Project for Seniors (CHIPPS) by the San Francisco Department of Public Health.

February 1, 2005 Board of Supervisors — ADOPTED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050148

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 11, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050148

FILE NO. 050149 RESOLUTION NO. 99-05

[Opposing further gas and electric rate increases by PG&E.]

Resolution urging the California Public Utilities Commission to require PG&E to provide accurate and timely electric bills and reliable service, and opposing further rate increases, and urging the California Public Utilities Commission to reverse the constant gas and electric rate increases of the last decade and reduce rates to a just and reasonable level.

WHEREAS, PG&E has just increased its gas and electric rates; and,

WHEREAS, PG&E has proposed a new method of allocating costs between small and large customers that will likely increase electric rates for residential and small business customers; and,

WHEREAS, PG&E's rates are already among the highest in the nation; and,

WHEREAS, PG&E's customers are paying approximately $8 billion to get the utility out of bankruptcy; and,

WHEREAS, PG&E's customers in San Francisco continue to be plagued by unreliable service, including frequent outages; and,

WHEREAS, PG&E's customers are experiencing high levels of billing errors; and,

WHEREAS, PG&E's executives continue to receive high salaries and enormous bonuses despite the utility's financial problems and the lagging economy in northern California; and,

WHEREAS, The California Public Utilities Commission (CPUC) is charged with ensuring reliable utility service at reasonable rates; and,

WHEREAS, The CPUC will be conducting public hearings on and reviewing PG&E's latest proposals; now, therefore, be it

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RESOLVED, That the Board of Supervisors urges the CPUC to ensure a fair allocation of costs between large customers and small business and residential customers; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the CPUC to require PG&E to change its current practices so that it provides accurate and timely bills and reliable service; and, be it

FURTHER RESOLVED, That the Board of Supervisors opposes further rate increases and urges the CPUC to reverse the constant rate increases of the last decade and reduce rates to a just and reasonable level.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050149 **Date Passed:**

Resolution urging the California Public Utilities Commission to require PG&E to provide accurate and timely electric bills and reliable service, and opposing further rate increases, and urging the California Public Utilities Commission to reverse the constant gas and electric rate increases of the last decade and reduce rates to a just and reasonable level.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval

Excused: 1 - Dufty

File No. 050149

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 11, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

File No.
050149

FILE NO. 050150 RESOLUTION NO. 100-05

[Oppose Privatization of Social Security]

Resolution urging members of San Francisco's Congressional delegation to oppose, reject, and vote against any legislation that would partially or fully privatize Social Security.

WHEREAS, Social Security provides workers with a guaranteed retirement income as well as disability and life insurance during their working lives; and,

WHEREAS, 47 million retired workers, disabled workers, worker's families, widows, and their children depend on Social Security to keep them from poverty; and

WHEREAS, The Social Security system has operated efficiently and reliably for the last 70 years; and

WHEREAS, Social Security is based on the idea that we take care of each other and protect each other from the risks of living and dying in poverty; and

WHEREAS, The administrative costs of Social Security are just 0.6 cents of every dollar that gets paid out in benefits; and

WHEREAS, Numerous government audits have repeatedly documented that Social Security has a minimal amount of fraud and abuse; and

WHEREAS, Economists agree that Social Security can pay out today's benefits until the year 2042 and 73% of benefits after that; and

WHEREAS, Two-thirds of Social Security beneficiaries receive over half their income form Social Security; and

WHEREAS, Social Security is the only source of income for nearly 20 percent of retirees; and

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WHEREAS, 136,369 of San Francisco's residents are aged 60 or older; and

WHEREAS, Seniors are the fastest growing age group in San Francisco; and

WHEREAS, San Francisco's senior population will comprise an increasingly larger share of San Francisco's population; and

WHEREAS, Without Social Security, nearly half of the America's senior population would fall into poverty; and

WHEREAS, Social Security benefits account for 54% of total retirement earnings for African American households, and 66% for Latino households as opposed to 39% of the retirement wealth for white households; and

WHEREAS, Older women, ethic minorities, and adults with disabilities in San Francisco are more likely to have incomes below poverty; and

WHEREAS, Any reform of Social Security will disproportionately affect ethic minorities, adults with disabilities and older women because they rely more heavily on those benefits than do white households; and

WHEREAS, Despite Social Security's continuing successes, privatizing Social Security is one of George Bush's top second-term priorities; and

WHEREAS, Privatization results in huge cuts in Social Security benefits with no guarantee that private investment can replace lost benefits; and

WHEREAS, The non-partisan Congressional Budget Office estimates that under a partially privatized system proposed by President Bush's Social Security commission, a worker who is 34-years old today would see benefit cuts of 23%, a 24-year old worker today would see cuts of 30%, and a child born today would at retirement have a Social Security benefit 45% smaller than current law would provide; and therefore be it,

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges the San Francisco Congressional delegation to oppose, reject, and vote against any legislation that would partially or fully privatize Social Security; and, be it

FURTHER RESOLVED, That the Board of Supervisors investigate contingency plans for a local Social Security fund if in fact Social Security is privatized; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors send a copy of this resolution to all members of San Francisco's Congressional delegation.

City and County of San Francisco

Tails

Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 050150 **Date Passed:**

Resolution urging members of San Francisco's Congressional delegation to oppose, reject, and vote against any legislation that would partially or fully privatize Social Security.

February 1, 2005 Board of Supervisors — ADOPTED

Ayes: 10 - Alioto-Pier, Ammiano, Daly, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Excused: 1 - Dufty

File No. 050150

I hereby certify that the foregoing Resolution was ADOPTED on February 1, 2005 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Date Approved

Mayor Gavin Newsom

Date: February 11, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.

Clerk of the Board

4407

File No.
050150

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